

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: ~~March 31, 2010~~ April 6, 2010
TO: Michael Elabarger, Project Manager, Department of Planning
FROM: Theresa M. Stein, Planner, Zoning Administration
CASE NUMBER AND NAME: SPEX 2009-0022 and 2009-0024, Lucketts Community Center and Child Care Center (3rd submission)
TAX/MAP PARCEL NUMBER: /20/////////39/
MCPI: 179-40-7230

Staff has reviewed the applicant's response letter, dated March 23, 2010, and Plat, revised March 23, 2010, and the following remains outstanding:

1. Original comment: *"Confirm that the facility will be served by well and septic. Sheet 3 indicates that there is a sewer line that leads to the school, located to the south of the subject. If public sewer is provided, the provisions of Sections 2-806 and 2-809 apply and sheet 2 of the Plat will needs to be revised."* The well and sewage system does not meet the Ordinance definition of "water, public" or "sewer, public" in that it is not owned or operated by a municipality, Loudoun Water, or a public water utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. The response stated that the well and sewage treatment is privately maintained by the School Board and "classified" as public by Virginia Department of Health-Office of Drinking Water ("VDH"), which monitors the water, and the Virginia Department of Environmental Quality ("DEQ"), which is responsible for sewer compliance. However, those entities do not meet the Ordinance definition of "water, public"/"sewer, public" or the State Code definition of "public water/sewer utility". Further, the SPEX plat sheets indicate that a well and septic tank/drainfield continue to be operational on the site. VDH stated that they believe after the well at the community center failed, the well was abandoned, however, the plat sheet does not reflect the well was abandoned. Without documentation that the current water and sewer system (termed "public, non-community well" by the County Health Department) meets either the Ordinance or State Code definition of public, the site must use the lot and building requirements for "Lots Served by On-Site Well and Wastewater Systems", Sections 2-805 and 2-808. If the applicant can provide documentation, staff will review it for compliance with the Ordinance. In reviewing the proposal and current conditions, there is little impact in using the increased yard and decreased lot coverage requirements due to the buffer yard width requirements and size of the lot. One side yard may remain 9', but the others will be 12' and the proposed lot coverage is well within the reduced maximum lot coverage. The Lot Requirement and Building Requirement tabulations must be revised to reflect Sections 2-805 and 2-808 unless the water/sewer system is determined to be public per the Ordinance or Code.

ATTACHMENT 1

~~The sewer system is deemed "public" because it serves more than 2 lots; however,~~
The existing water and sewer system does not meet the Ordinance definition of public. "Water, public" is defined as a central, communal or municipal water supply system serving more than 2 lots owned or operated by a municipality or Loudoun Water or public water utility defined by the Code of VA. The existing water system does not meet the definition of central (water supply system for Eastern Loudoun County owned and operated by Loudoun Water), communal (water supply system owned or operated by Loudoun Water or public water utility defined in the Code of VA) or municipal (owned by one of the incorporated towns) water supply system provided in the Ordinance. "Sewer, Public" is a similar definition. Serving more than 2 lots is not enough to met the definition of "public" per the Ordinance. Therefore, the Lot and Building Requirements titled "Served by Both Public Water and Public Sewer" may not be used. As requested in the prior referral, revise the yards, coverage and allowed height on the plat unless evidence can be provided that the water/sewer system meets one of the three types of systems recognized as public in the Ordinance.

2. Original comment: *"Remove General Note 13 and the asterisk under the Landscaping/Buffering tabulation on sheet 2. A buffer waiver is a separate request that is made to the Zoning Administrator demonstrating how one or more circumstances in Section 5-1409 are met..."* A buffer waiver was granted for the south, west, and a portion of the northwestern boundary only, with conditions. Revise General Note 13 on sheet 2 to state that the waiver was granted in part and state the conditions attached to the waiver approval. Add ZCOR 009-0269 as a part of the SPEX plat. One condition of waiver approval was that any existing vegetation shown on the SPEX plat along the south, west, and northwest boundary adjacent to PIN 179-40-5349, that dies or is damaged by construction, will be replaced with a similar species taken from the preferred plant type list provided in Section 5-1414(C). Add a note regarding same to the SPEX plat. A second condition of the waiver approval is that the existing southern tree line, in the vicinity of the CR-1 zoning district boundary, must be placed in a tree conservation easement so that it will remain undisturbed and the required buffer width must be maintained. Provide such an easement or provide a condition that such will be provided prior to site plan approval.

Make as a condition of approval or add to note 13 on the plat that the existing southern tree line, in the vicinity of the CR-1 zoning district boundary, will be placed in a tree conservation easement to be reviewed and approved by the County, prior to site plan approval.

3. Original comment: *"Existing vegetation that meets the required screening may be used, or may be used in addition to supplemental planting, to fulfill the required screening. Revise the Landscaping/Buffering tabulation on sheet 2 to state what is required by the Ordinance and what is being "provided" or "proposed" with this application... In addition, buffering and screening shall be provided on the lot of the proposed use per 5-1405(B); therefore, any existing landscaping on the school lot to the south may not be used to fulfill the applicant's requirements. (§5-1403(B))."* The tabulation on sheet 2 has two "Required" plantings column, when one should be what is proposed or provided. Revise the tabulation as requested if it can be determined at this point that what is shown in the 2nd Required column is what will be provided or exists. If it cannot be determined now what exists and what is proposed, remove the 2nd column and add a note that landscaping will be in conformance with the Ordinance requirements and in accordance with the landscape waiver approval letter. Note that, at the time of site plan, the applicant will need to distinguish between landscaping that exists and is being counted toward the requirement, and what is being planted. Further, the second Required columns do not correspond to what is shown on sheet 3, Existing Conditions. Correct or remove with a note.

Other revisions to the landscape tabulation are necessary: Add a note that the Side (South) Type 1 buffer adjacent to the school does not require any additional plantings per the approved landscape waiver, but that existing vegetation will remain as shown on the plat and is subject to a condition (see above).

The Front (North) Type I buffer, adjacent to Lucketts Road requires 2 canopy trees, but only one is provided on the site. Credit cannot be taken for a tree located on another property.

Clarify that the Side (West) buffer is adjacent to the vacant property PIN 179-40-5349 and add that pursuant to the landscape waiver letter, the existing tree line must be maintained and replanted, if necessary (see above).

Clarify that the Front (West) Type II buffer is adjacent to Rt 15. Revise the tabulation to reflect that per the waiver letter, the buffer that exists is to remain and is subject to condition for replanting (see above). As stated above, the tabulation lists a number of trees that presumably exists upon the site, however, this does not correspond with what is shown on sheet 3. For example, 4 canopy, 3 understory, and 17 shrubs are listed in the tabulation, but sheet 3 only shows 3 canopy trees and no understory or shrubs within the buffer yard. Correct or remove the information with a note that landscaping will be provided at site plan pursuant to the Ordinance requirements and in compliance with the landscape waiver letter.

The Side (North) Type II buffer tabulation needs to be corrected to reflect that no buffer is required adjacent to the Fire/Rescue Station along the northern boundary. See page 2 of the waiver letter. The remainder of the northern boundary is a Type 2 side yard buffer and must have the required plantings or demonstrate that the existing vegetation meets the Ordinance requirements at the time of site plan.

The buffers shown on Sheet 2 do not agree with Sheet 4. Changes as requested were not incorporated. Any landscaping on the SPEX plat will be checked at site plan for full compliance with the approved landscape waiver and/or landscape buffer requirements found in the Ordinance.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

RECEIVED

FEB 18 2010

LOUDOUN COUNTY
DEPARTMENT OF PLANNING

DATE: February 18, 2010

TO: Michael Elabarger, Project Manager, Department of Planning

FROM: Theresa M. Stein, Planner, Zoning Administration *TMS*

THROUGH: Mark Stultz, Deputy Zoning Administrator

CASE NUMBER AND NAME: SPEX 2009-0022 and 2009-0024, Lucketts Community Center and Child Care Center (2nd submission)

TAX/MAP PARCEL NUMBER: /20/////////39/

MCPI: 179-40-7230

The Property contains approximately 4.8 acres, is split-zoned Countryside Residential-4 (CR-4) and CR-1, and is governed under the Revised 1993 Loudoun County Zoning Ordinance ("Ordinance"). The property is also within the Lucketts Village Conservation Overlay District (VCOD). A community center and a child care center require special exception approval in both the CR-1 and CR-4 Zoning Districts. The proposed uses lay within the CR-4 zoning district, therefore, it must meet all of the requirements found in Section 2-800, 5-609(B), as well as Sections 4-2100, and other applicable Ordinance sections.

Staff has reviewed the Revised January 29, 2010 Statement of Justification (SOJ), applicant response letter dated October 23, 2009, and Plat, revised October 13, 2009, and offers the following comments:

1. Original comment: *"Confirm that the facility will be served by well and septic. Sheet 3 indicates that there is a sewer line that leads to the school, located to the south of the subject. If public sewer is provided, the provisions of Sections 2-806 and 2-809 apply and sheet 2 of the Plat will needs to be revised."* The well and sewage system does not meet the Ordinance definition of "water, public" or "sewer, public" in that it is not owned or operated by a municipality, Loudoun Water, or a public water utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. The response stated that the well and sewage treatment is privately maintained by the School Board and "classified" as public by Virginia Department of Health-Office of Drinking Water ("VDH"), which monitors the water, and the Virginia Department of Environmental Quality ("DEQ"), which is responsible for sewer compliance. However,

those entities do not meet the Ordinance definition of “water, public”/“sewer, public” or the State Code definition of “public water/sewer utility”. Further, the SPEX plat sheets indicate that a well and septic tank/drainfield continue to be operational on the site. VDH stated that they believe after the well at the community center failed, the well was abandoned, however, the plat sheet does not reflect the well was abandoned. Without documentation that the current water and sewer system (termed “public, non-community well” by the County Health Department) meets either the Ordinance or State Code definition of public, the site must use the lot and building requirements for “Lots Served by On-Site Well and Wastewater Systems”, Sections 2-805 and 2-808. If the applicant can provide documentation, staff will review it for compliance with the Ordinance. In reviewing the proposal and current conditions, there is little impact in using the increased yard and decreased lot coverage requirements due to the buffer yard width requirements and size of the lot. One side yard may remain 9’, but the others will be 12’ and the proposed lot coverage is well within the reduced maximum lot coverage. The Lot Requirement and Building Requirement tabulations must be revised to reflect Sections 2-805 and 2-808 unless the water/sewer system is determined to be public per the Ordinance or Code.

2. Original comment: *“Revise General Note 4 to state that the property is split zoned CR-4 and CR-1.”* On sheet 2, in the Zoning Tabulation, add to the Zone and the Lot Requirements that the property is also subject to the provisions of the CR-1 (2-500) zoning district regulations.
3. Revise General Note 13 on sheet 2 to reflect that a waiver to the landscaping was approved. Make ZCOR 2009-0269 a part of the plat because it provides the extent to which the waiver was granted and conditions associated with the waiver.
4. Original comment: *“...The front yard requirement for the VCOD is determined by the average front yard for existing principal buildings... since an average front yard cannot be used, the required minimum front yard along James Monroe Highway will be the yard specified for the CR-4..”* Change the Proposed Front Yard in the Zoning Tabulation to “Existing” front yard. Stating the existing front yard as the “proposed” on the SPEX plat could potentially limit any future expansion of the building.
5. Original comment: *“Street trees, in addition to the requirements of 5-1300, shall be provided along the frontage and regularly spaced. Provide 2 street trees along the Lucketts Road frontage.”* The applicant stated in the response that there are 2 existing street trees along the Lucketts Road entrance of the proposal, but the revised plat indicates that one tree is not on the subject property, therefore, it may not be counted. Another canopy tree is required to fulfill the front buffer yard requirement, which will satisfy the street tree requirement as well.
6. In the SOJ, the 2nd paragraph on page 3 states that there are 22 employees and over 100 children being served in the child care center. Paragraph 3 later says that the maximum number of employees for both uses will be 15, and that a maximum of 60 students will be enrolled. Confirm that it is the intention of the applicant to reduce the number of employees and children enrolled.
7. Original comment: *“A 3 ½ -foot fence is required around the play area. Show the location of the fence and provide details to evidence compliance. (§5-609(B)(1)(a))”* The response stated that “photographic evidence” was provided, however, none was included with the submission. State on the plat that a fence of at least 3½ feet will be provided. A typical section of the existing fence will be required to be provided at the time of site plan.

8. Original comment: *"A designated pickup and delivery zone that includes 1 parking space per 20 children is required to be located in close proximity to the child care center so that safe and clear access is provided to enter and exit the building. Label the designated pickup and deliver zone and parking spaces. Please note that these pickup spaces are in addition to the parking spaces required for the child care center use pursuant to Section 5-1100. (§5-609(B)(2)(b))."* Three designated pickup/delivery parking spaces are required in addition to the required 18 spaces, so that a total of 21 spaces are required for the child care center. Revise the required/provided parking tabulation on sheet 2.
9. Original comment: *"The second General Note 13 on sheet 2 states that pursuant to Sec 5-1102(E) parking will continue to be provided consistent with previous conditions. This note should be removed... or a request for a parking reduction submitted in accordance with Section 5-1102(F). Also, the General Note numbers need to be revised."* A waiver request to reduce the required parking spaces by 13 was received and granted contingent upon receipt of a covenant (ZCOR 2009-0220). No covenant has been provided, and until such document is received, all 67 required parking spaces must be provided. If the covenant cannot be provided prior to SPEX approval, the note on sheet 2 of the plat should state that a parking reduction per 5-1102(F)(1) and (2) was granted however, a covenant is pending. Remove the number of parking spaces provided on sheet 2 (keep the number of spaces required). In order to use the reduced parking count, the covenant must be provided prior to site plan approval, otherwise, all spaces must be provided. Note that the parking reduction waiver request and approval was insufficient because it did not account for the 3 spaces required for designated child care pick up/delivery in addition to the child care center parking. See comment above. A letter of clarification from Zoning is being sent.
10. Original comment: *"Remove General Note 13 and the asterisk under the Landscaping/Buffering tabulation on sheet 2. A buffer waiver is a separate request that is made to the Zoning Administrator demonstrating how one or more circumstances in Section 5-1409 are met..."* A buffer waiver was granted for the south, west, and a portion of the northwestern boundary only, with conditions. Revise General Note 13 on sheet 2 to state that the waiver was granted in part and state the conditions attached to the waiver approval. Add ZCOR 009-0269 as a part of the SPEX plat. One condition of waiver approval was that any existing vegetation shown on the SPEX plat along the south, west, and northwest boundary adjacent to PIN 179-40-5349, that dies or is damaged by construction, will be replaced with a similar species taken from the preferred plant type list provided in Section 5-1414(C). Add a note regarding same to the SPEX plat. A second condition of the waiver approval is that the existing southern tree line, in the vicinity of the CR-1 zoning district boundary, must be placed in a tree conservation easement so that it will remain undisturbed and the required buffer width must be maintained. Provide such an easement or provide a condition that such will be provided prior to site plan approval.
11. Original comment: *"Existing vegetation that meets the required screening may be used, or may be used in addition to supplemental planting, to fulfill the required screening. Revise the Landscaping/Buffering tabulation on sheet 2 to state what is required by the Ordinance and what is being "provided" or "proposed" with this application... In addition, buffering and screening shall be provided on the lot of the proposed use per 5-1405(B); therefore, any existing landscaping on the school lot to the south may not be used to fulfill the applicant's requirements. (§5-1403(B))."* The tabulation on sheet 2 has two "Required" plantings column, when one should be what is proposed or provided. Revise the tabulation as requested if it can be determined at this point that what is shown in the 2nd Required column is what will be provided or exists. If it cannot be determined now what exists and what is

proposed, remove the 2nd column and add a note that landscaping will be in conformance with the Ordinance requirements and in accordance with the landscape waiver approval letter. Note that, at the time of site plan, the applicant will need to distinguish between landscaping that exists and is being counted toward the requirement, and what is being planted. Further, the second Required columns do not correspond to what is shown on sheet 3, Existing Conditions. Correct or remove with a note.

Other revisions to the landscape tabulation are necessary: Add a note that the Side (South) Type I buffer adjacent to the school does not require any additional plantings per the approved landscape waiver, but that existing vegetation will remain as shown on the plat and is subject to a condition (see above).

The Front (North) Type I buffer, adjacent to Lucketts Road requires 2 canopy trees, but only one is provided on the site. Credit cannot be taken for a tree located on another property.

Clarify that the Side (West) buffer is adjacent to the vacant property PIN 179-40-5349 and add that pursuant to the landscape waiver letter, the existing tree line must be maintained and replanted, if necessary (see above).

Clarify that the Front (West) Type II buffer is adjacent to Rt 15. Revise the tabulation to reflect that per the waiver letter, the buffer that exists is to remain and is subject to condition for replanting (see above). As stated above, the tabulation lists a number of trees that presumably exists upon the site, however, this does not correspond with what is shown on sheet 3. For example, 4 canopy, 3 understory, and 17 shrubs are listed in the tabulation, but sheet 3 only shows 3 canopy trees and no understory or shrubs within the buffer yard. Correct or remove the information with a note that landscaping will be provided at site plan pursuant to the Ordinance requirements and in compliance with the landscape waiver letter.

The Side (North) Type II buffer tabulation needs to be corrected to reflect that no buffer is required adjacent to the Fire/Rescue Station along the northern boundary. See page 2 of the waiver letter. The remainder of the northern boundary is a Type 2 side yard buffer and must have the required plantings or demonstrate that the existing vegetation meets the Ordinance requirements at the time of site plan.

A-07

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: September 2, 2009

TO: Michael Elabarger, Project Manager, Department of Planning

FROM: Theresa M. Stein, Planner, Zoning Administration

THROUGH: Mark Stultz, Deputy Zoning Administrator

CASE NUMBER AND NAME: SPEX 2009-0022 and 2009-0024, Lucketts Community Center and Child Care Center

TAX/MAP PARCEL NUMBER: /20////////39/

MCPI: 179-40-7230

The Property contains approximately 4.8 acres, is split-zoned Countryside Residential-4 (CR-4) and CR-1, and is governed under the Revised 1993 Loudoun County Zoning Ordinance ("Ordinance"). The property is also within the Lucketts Village Conservation Overlay District (VCOD). A community center and a child care center require special exception approval in both the CR-1 and CR-4 Zoning Districts.

As the proposed use of community and child care center must meet all of the current Ordinance restrictions and requirements, the application was reviewed against the underlying zoning district regulations found in Section 2-800, as well as Sections 4-2100. The child care center is also subject to 5-609(B). Staff has reviewed the Statement of Justification (SOJ) and Plat, dated June 19, 2009, and offers the following comments:

I. CRITICAL ISSUES: According to the Applicant, the child care and community center uses began operation is 1986. In 1986, the subject parcel was split zoned R-4 and R-1 and was governed under the 1972 Loudoun County Zoning Ordinance. The R-4 and R-1 zoning district regulations under the 1972 Zoning Ordinance allowed a community center only with special exception approval by the Board of Zoning Appeals with a recommendation from the Planning Commission. However, the County has no record of a special exception being approved for a community center use on the subject parcel. Also, the County has no record of any administrative site plan being approved, or permits being issued, for a community center on the subject parcel. Therefore, this application should be expanded to include the existing use, as well as the proposed expansion, in order to legally establish the use. If the Applicant has any documentation to show that the use was legally established, please provide such documentation for Staff's further consideration. The application will need to conform to all the current Ordinance requirements or obtain a modification through this application, where permitted.

II. CONFORMANCE WITH COUNTRYSIDE RESIDENTIAL – 4 DISTRICT REGULATIONS (§2-800):

1. Revise General Notes 1 and 2 to reflect that the totality of all uses are subject to the special exception application.
2. Confirm that the facility will be served by well and septic. Sheet 3 indicates that there is a sewer line that leads to the school, located to the south of the subject. If public sewer is provided, the provisions of Sections 2-806 and 2-809 apply and sheet 2 of the Plat will needs to be revised.
3. Lot coverage is limited to 15% of the total lot size. The applicant has based its required and provided lot coverage, shown on sheet 2, on the total 4.78 acres, however, the "Limits of Special Exception" are considerably less in size. Revise the application to make the entire parcel subject to the Special Exception application, otherwise, identify the amount of acreage/square feet that is subject to the special exception, and revise all of the tabulations to reflect the limited acreage. (§2-808(A))
4. Revise General Note 4 to state that the property is split zoned CR-4 and CR-1.

III. CONFORMANCE WITH VILLAGE CONSERVATION OVERLAY DISTRICT (VCOD) REGULATIONS (§4-2100):

5. The front yard requirement for the VCOD is determined by the average front yard for existing principal buildings located within 150' of both sides of the parcel and on the same side of the street as the subject building. The subject property has two front yards: one along James Monroe Highway and one along Lucketts Road. It is noted that there is only one structure that is within 150' of the subject parcel and on the same side of James Monroe Highway. Therefore, since an average front yard cannot be used, the required minimum front yard along James Monroe Highway will be the yard specified for the CR-4 and CR-1 Zoning Districts. The existing buildings within 150' of the subject parcel along Lucketts Road are the fire department to the east and 14465 James Monroe Highway to the west.

Sheet 2 indicates that the required front yard along James Monroe Highway is 83.7 and the required front yard along Lucketts Road is 96.4-feet. However, this is not consistent with

County information. Provide the address of the properties being averaged in the Yard tabulation on sheet 2 for Lucketts Road and provide the calculation. Nonetheless, as the subject building has been in existence since 1913, before any County Zoning Ordinance, the structure will be considered a legal structure and subject to the regulations in Section 1-403 for any non-conformity with current yard requirements. (§4-2104(A)(1))

6. Building height is limited to no greater than 50% higher than the highest building on the same side of the street within 150' of either side of the parcel, not to exceed the maximum building height permitted in the CR-4 and CR-1 Zoning Districts. Provide the structures being used toward the building height calculation and provide the average in the Building Requirement tabulation. (§4-2104(A)(2)).
7. Street trees, in addition to the requirements of 5-1300, shall be provided along the frontage and regularly spaced. Provide 2 street trees along the Lucketts Road frontage.

IV. CONFORMANCE WITH ADDITIONAL REGULATIONS FOR SPECIFIC USES (§5-600):

8. A minimum of 75 square feet per child of outdoor play area shall be provided on the lot. Provide the total number of children at the facility and state the square footage of the play area provided. Provide the limits of the play area on sheet 3. If insufficient play area exists, the applicant shall provide additional space to fulfill the requirement, unless a modification is sought and granted. (§5-609(A)(5)).
9. A 3 ½ -foot fence is required around the play area. Show the location of the fence and provide details to evidence compliance. (§5-609(B)(1)(a))
10. Demonstrate that no play equipment is located within the required front yard (James Monroe Highway or Lucketts Road) per 5-609(B)(1)(b).
11. A designated pickup and delivery zone that includes 1 parking space per 20 children is required to be located in close proximity to the child care center so that safe and clear access is provided to enter and exit the building. Label the designated pickup and deliver zone and parking spaces. Please note that these pickup spaces are in addition to the parking spaces required for the child care center use pursuant to Section 5-1100.(§5-609(B)(2)(b)).

V. CONFORMANCE WITH OFF-STREET PARKING AND LOADING (§5-1100):

12. The second General Note 13 on sheet 2 states that pursuant to Sec 5-1102(E) parking will continue to be provided consistent with previous conditions. This note should be removed. Section 5-1102(E) pertains to legally established uses that are expanding. As there is no prior approved SPEX for child care or community center uses, all parking must be provided in accordance with the Ordinance, or a request for a parking reduction submitted in accordance with Section 5-1102(F). Also, the General Note numbers need to be revised.

VI. CONFORMANCE WITH BUFFERING AND SCREENING REGULATIONS (§5-1400):

13. Remove General Note 13 and the asterisk under the Landscaping/Buffering tabulation on sheet 2. A buffer waiver is a separate request that is made to the Zoning Administrator demonstrating how one or more circumstances in Section 5-1409 are met. The applicant indicates that they will seek a landscaping waiver/reduction pursuant to 5-1409(H). Be

advised that the request to the Zoning Administrator must include a recommendation by the Loudoun County Sheriff's Office that all the buffers create a security concern. If it cannot be demonstrated that all the buffer yards create security issues, then the required buffer yard width and plantings must be provided. Otherwise, the applicant may seek to modify the required landscaping per Section 5-1403(B).

14. Existing vegetation that meets the required screening may be used, or may be used in addition to supplemental planting, to fulfill the required screening. Revise the Landscaping/Buffering tabulation on sheet 2 to state what is required by the Ordinance and what is being "provided" or "proposed" with this application. Unless a modification or waiver is granted, all of the required landscaping must be provided for the use. As it appears now, the applicant is not proposing any new vegetation and is not proposing the use of any existing vegetation towards meeting the requirement. If any existing trees are to be used to fulfill the required buffer yard plantings, a plan providing the location of the existing vegetation to be used, along with a description and photographs of the vegetation, should be submitted. In addition, buffering and screening shall be provided on the lot of the proposed use per 5-1405(B); therefore, any existing landscaping on the school lot to the south may not be used to fulfill the applicant's requirements. (§5-1403(B))
15. Revise the required buffer for the northern front buffer adjacent to the antique store and the buffer adjacent to the Fire/Rescue station as a Type I front buffer is required instead of a Type II. (§5-1414(A))
16. Revise the Landscaping/Buffering tabulation to provide the minimum buffer width, in addition to the maximum width that is currently shown. Also, add a column in the tabulation for the width proposed. For example, a Type 2 front buffer has a minimum 15' and a maximum of 25'. (§5-1414(B))

VII. CONFORMANCE WITH SPECIAL EXCEPTION REGULATIONS: (§6-1300):

17. An issue for consideration is whether existing or proposed landscaping and screening is sufficient for adequately screening the uses. As the applicant did not receive special exception approval when the uses began in 1986, the existing landscaping does not meet current landscaping requirements, nor does it appear that it would have met the requirements of the 1972 Zoning Ordinance. If the applicant wishes to seek an administrative waiver/modification from the Zoning Administrator, it may request so in writing. Staff does not believe that sufficient landscaping currently exists and none has been proposed to mitigate impacts.

County of Loudoun
Department of Planning

MEMORANDUM

DATE: September 2, 2009

TO: Michael Elabarger, Project Manager, Land Use Review

FROM: Kate McConnell, Planner, Community Information & Outreach

SUBJECT: **SPEX 2009-0022, Lucketts Community Center**
SPEX 2009-0024, Lucketts Community Center Child Care

EXECUTIVE SUMMARY

The Special Exception request (SPEX 2009-0022 and SPEX 2009-0024) to expand and renovate the existing community center and child care uses at the Lucketts Community Center is in conformance with Plan policies and staff recommends approval with conditions.

BACKGROUND

The applicant, the Loudoun County Office of Capital Construction, is requesting a Special Exception (SPEX) for expansion and renovation of an existing community center and child care center uses at the Lucketts Community Center located at 42361 Lucketts Road in the Village of Lucketts. The Lucketts Community Center is shown on the Public Facilities map in the Revised General Plan (Plan) and does not require a Commission Permit (Revised General Plan, Chapter 3, Fiscal Planning and Public Facilities, Public Facilities Map).

The subject property is a 4.79-acre parcel situated in the southeast corner of the intersection of James Monroe Highway (Route 15) and Lucketts Road (Route 662). The Lucketts Community Center is a two-story building originally built as a school in 1913 and expanded with a classroom addition in 1919 and an auditorium in 1929. The school use ceased in the early 1960s. In 1981, the Loudoun County Department of Parks, Recreation, and Community Services (PRCS) began operating the building as a community center. The school building is listed on the National Register of Historic Places and the Virginia Landmarks Register (1993). The building is also a contributing resource in the Catoctin Rural Historic District listed on the Virginia Landmarks Register (1989).

The portion of the subject property that includes the building is zoned CR-4 (Countryside Residential 4). Both Community Center and Child Care Center uses are permitted by Special Exception in the CR-4 zoning district.

COMPREHENSIVE PLAN COMPLIANCE

The subject property is governed by the policies of the Revised General Plan (Plan). The property is located within the northern tier of the Rural Policy Area and within the existing Village of Lucketts as identified by the Plan (Revised General Plan, Chapter 7, Rural Policy Area Map and Chapter 10, Existing Villages Map). The Existing Village policies (Chapter 10) of the Plan apply to the subject property. The Lucketts Community Center is a historic resource; therefore, the Plan's Green Infrastructure Policies for Heritage Resources (Chapter 5) apply to the subject property as well.

Since the Lucketts Community Center is a County-owned heritage resource, the subject property is also governed by the policies of the Loudoun County Heritage Preservation Plan (Preservation Plan). Specific Preservation Plan policies in Chapter 7 dictate the County's role as stewards of such properties (Heritage Preservation Plan, Chapter 7, Stewardship of County-Owned Heritage Resources).

ANALYSIS

The applicant proposes to renovate and expand the Lucketts Community Center building to meet ADA requirements for public facilities and state mandated child care requirements for facility square footage. The proposed 600 square foot expansion will occur on both sides of the hyphen that connects the classroom building with the auditorium addition. It will meet the facility requirements of 35 square feet of activity space per child. Currently, the community center offers child care, nine-month preschool, and after school programs that serve more than 100 children. In addition, community groups, such as the Boy Scouts, use the building for meeting space. Community events, such as the Lucketts Fair and Bluegrass Concert Series, are also held in the building and on the property. The building expansion will not increase the enrollment of the child care, preschool, or after school programs or the capacity of the community meeting or event space.

A. EXISTING VILLAGES

The County recognizes its Existing Villages as unique scenic and historic resources that convey a sense of place and have a true sense of community. The villages rely on their rural and historic character, role as community activity hub, and uniqueness for their social and economic viability. As an important component of the Rural Policy Area, the villages provide services to the surrounding community and support rural tourism. Thus, the Plan encourages careful planning and moderate growth in and around these villages to preserve and perpetuate these characteristics. This includes limiting new residential and non-residential activities to uses that are compatible with both the existing buildings and the traditional development patterns of the individual villages (Revised General Plan, Chapter 10, Existing Villages, text).

The proposal to renovate and expand the Lucketts Community Center in order to continue use of this historic building instead of constructing a new building in or near the Village of Lucketts meets the objectives of the Existing Village Policies. Listed on the National Register of Historic Places, the community center is an important heritage resource that currently contributes to the rural economy, provides economic benefit to the County, and encourages tourism that does not conflict with or intrude on the quality of life of Lucketts or the rural

character of the area (Revised General Plan, Chapter 10, Existing Villages, Policy 1). The historic building serves as the hub of Lucketts's community activities. The building is the location of PRCS-operated child care, preschool, and after school programs for the children of village and surrounding area residents. Four full-time and several part-time employees work at the community center. The building is used as public meeting space for community organizations and for popular events. With the Special Exception, the important roles of the Lucketts Community Center will continue.

Ongoing use of the Lucketts Community Center also retains and reinforces the cultural and visual identity of Lucketts. The building is an adaptive reuse of a historic school that has stood in the heart of the village and served its residents since 1913. The National Register nomination identifies it as the dominant building in the village. The Special Exception will perpetuate use of this historic resource, protecting it from disrepair and potential demolition while preventing the need to construct a new community center in or near the village. Discontinuing the use of this landmark in the traditional village center location, which could lead to its eventual loss, or adding another institutional building to the village would affect Lucketts's cultural and visual identity that the Plan Policies intend to protect (Revised General Plan, Chapter 10, Existing Villages, Policy 3).

The small-scale institutional uses that occur in the Lucketts Community Center, community center and child care facility, are supported by Plan policies. Continuing these institutional uses will support the role of Lucketts as community gathering place and will perpetuate the village's social viability. They are also compatible with existing land uses in and around the village. The Lucketts Community Center is in a location central to the village and adjacent to the Lucketts Elementary School property to the south and the Lucketts Volunteer Fire Department property to the northeast. These neighboring public uses are compatible as well as synergistic. Therefore, the required Special Exception for the institutional uses (community center and child care facility) at the Lucketts Community Center meet the intent of the Plan Policies (Revised General Plan, Chapter 10, Existing Villages, Policy 9).

Plan policies dictate the presence of adequate public facilities (water and sewer), zoning, transportation facilities, and land resources to accommodate compatible development in Existing Villages (Revised General Plan, Chapter 10, Existing Villages, Policy 2). Since the proposed expansion and renovation of the Lucketts Community Center will not result in an increase in child care enrollment or community event attendees, the provision for adequate public facilities is met. The community center is served by an off-site well shared with Lucketts Elementary School and an on-site septic tank that connects to an off-site sewer line at Lucketts Elementary School. The local road network and entrance sufficiently serve the community center. The existing 4.79-acre parcel is large enough to serve the children and community that use the facility. Finally, the community center is located within a zoning district that allows community and child care center uses by Special Exception.

Staff finds that the continued use of the Lucketts Community Center as a community center and a child care facility is consistent with the Existing Village policies of the Revised General Plan.

B. HISTORIC RESOURCES

The Green Infrastructure Plan policies recognize that protecting historic architectural and archaeological resources will enrich and perpetuate the County's heritage (*Revised General Plan, Chapter 5, Historic and Archaeological Resources, text*).

Architecture

To protect historic architectural resources in the County, Plan policies promote retaining, restoring, and utilizing buildings of historical significance through adaptive reuse. The Existing Village policies also protect the historic character of buildings and their context by promoting new development that will be designed, built, and sited to be compatible with the scale, size, historic character and style of the buildings of the village (*Revised General Plan, Chapter 5, Historic and Archaeological Resources: Policy 8 and Chapter 10, Existing Villages, Policies 11 and 12*). The Lucketts Community Center is a historically significant building and has been listed on the National Register of Historic Places and the Virginia Landmarks Register since 1993. The former school building will be sensitively renovated and continue to be adaptively reused.

Based on the elevations and plans submitted by the applicant, the design of the Lucketts Community Center expansion is compatible with the existing historic school. One-story additions will infill the area flanking the hyphen that connects the original school with the auditorium addition. This location does not affect the façade or side elevations that are highly visible from the public way. The small additions will be recessed from the side elevations of the original building and the auditorium, following preservation guidelines that recommend differentiating the wall plane of an addition from the original building and that additions be subordinate in size to the main building.

The addition materials are also consistent with the Lucketts Community Center and typically found on historic buildings in and around the village. The additions will be clad with wood siding matching the building, the roof will be standing seam metal similar to the two existing additions, and the windows will be of the same style and dimensions as the existing windows throughout the school. Furthermore, renovation of the historic building proposes retaining and repairing character defining features of the school. Repairing, rather than replacing, historic materials is the preferred treatment for heritage resources.¹ Exterior character defining features that will be repaired and maintained include the original windows, siding, roof, and the front portico. Interior elements, such as the stairs, wainscoting, wood floors, pressed tin ceilings, slate chalkboards, and auditorium stage, will be repaired and retained as well.

While the *Revised General Plan's* Green Infrastructure policies for Heritage Resource Assets address historic architecture, the *Heritage Preservation Plan* more thoroughly delineates the objectives of historic resource protection in Loudoun County. Specific policies in the Preservation Plan address the County's role as heritage resource steward. Plan policy states that the County will be a leader in the protection and preservation of heritage resources

¹ National Park Service. *The Secretary of the Interior's Standards for Rehabilitation*, Standard 6. Online at http://www.nps.gov/history/hps/tps/standguide/rehab/rehab_index.htm, accessed September 1, 2009.

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through exemplary stewardship of public properties (Heritage Preservation Plan, Chapter 7: Stewardship of County-Owned Heritage Resources, Policy 1).

By continuing to adaptively reuse the historic Lucketts Community Center rather than replacing it with a new facility, the County is leading by example as a steward of historic resources. The historically sensitive design and materials for the addition and the maintenance of interior and exterior character defining features during renovation also demonstrate that the County is fulfilling its stewardship role. In addition, the historic school is listed on the National Register of Historic Places.

Staff finds that the proposed design of the community center expansion, the proposed building renovations, and the continued use of the historic school is in keeping with the historic character of the Lucketts Community Center and the Village of Lucketts and protects and preserves this County-owned heritage resource. Staff recommends that the applicant commit to the building design as shown in the elevations and plans submitted as part of this Special Exception application.

Archaeology

An archaeological survey is required as part of the Special Exception application since the proposed Lucketts Community Center expansion will require some land disturbance (Revised General Plan, Chapter 5, Historic and Archaeological Resources, Policy 11). According to a letter from the Department of Planning dated June 12, 2009, the required archaeological survey was waived upon acceptance of the application. The letter noted that the probability of identifying intact archaeological sites is minimal due to the small expansion area and post-construction disturbance. Staff concurs with this letter and does not recommend that a survey be completed.

Staff finds that no further archaeological investigations are necessary due to the minimal probability of identifying intact significant archaeological sites.

RECOMMENDATION

Staff finds that the application for a Special Exception to expand and renovate the existing Lucketts Community Center, located in the Village of Lucketts, for community center and day care uses is in conformance with the Existing Village and Green Infrastructure policies of the Revised General Plan and the County Stewardship policies of the Heritage Preservation Plan. The uses are compatible with the surrounding uses and rural character of the village. The proposed design and renovations protect and preserve the historic character of the building and the surrounding village. Staff supports the Special Exception request.

CC: Julie Pastor, AICP, Director, Planning
Michael "Miguel" Salinas, Program Manager, Community Information & Outreach
Cindy Keegan, AICP, Program Manager, Community Planning-via email

Elabarger, Mike

From: Taylor, Todd
Sent: Wednesday, March 31, 2010 3:43 PM
To: Elabarger, Mike
Cc: Marsh, William
Subject: Lucketts Community Center/Child Daycare Center

Mike,

I have reviewed the 3rd submission for SPEX-2009-0022/24 Lucketts Community Center/Child Daycare Center and have no further comments.

Thanks!

Todd

Todd Taylor, Environmental Engineer
Loudoun County, Virginia
Department of Building and Development
1 Harrison St., SE, 3rd Floor, P.O. Box 7000
Leesburg, VA 20177-7000
703-777-0397
todd.taylor@loudoun.gov

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: March 1, 2010

TO: Mike Elabarger, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Review Team *TT*

THROUGH: William Marsh, Environmental Review Team Leader *WM*

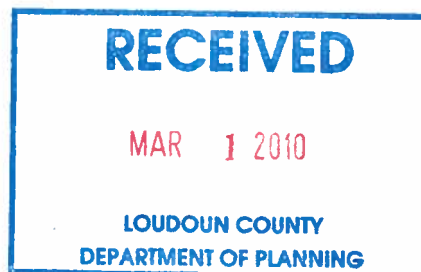
CC: Ryan Reed, Soil Scientist
Theresa Stein, Zoning Planner
Kate McConnell, Planner, Department of Planning

SUBJECT: **SPEX-2009-0022 - Lucketts Community Center**
SPEX-2009-0024 - Lucketts Community Center Child Care
(2nd Submission)

The Environmental Review Team (ERT) has reviewed the revised application, including plat dated June 2009, revised through October 13, 2009, and offers the following comments.

1. On February 17, 2010, the Loudoun County Board of Supervisors adopted amendments to the Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO) and other County ordinances to create a Limestone Overlay District (LOD). Due to the limited size of the project and that the proposed improvements are not located within a Karst/Sensitive Environmental Feature Setback, as verified by a site visit with the County Soil Scientist on March 1, 2010, the project falls under the exemption in Section 4-1903(C)(4) (Existing Structures within LOD) of the Revised 1993 LCZO. With that said, staff encourages the applicant to consider conducting a geophysical study to insure soil stability in the area of the proposed improvements.

Please contact me if you need additional information or have questions.



A-18


DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: September 1, 2009

TO: Mike Elabarger, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Review Team 

THROUGH: Gary Clare, Chief Engineer
William Marsh, Environmental Review Team Leader

CC: Theresa Stein, Zoning Planner
Kate McConnell, Planner, Department of Planning
Alan Brewer, Health Department

SUBJECT: SPEX-2009-0022 - Lucketts Community Center
SPEX-2009-0024 - Lucketts Community Center Child Care

The Environmental Review Team (ERT) reviewed the subject application during the August 24, 2009, ERT Meeting. Our comments pertaining to the current application are as follows:

1. The property is underlain by limestone, which is prone to rock outcrops, sink holes, and solution channels. Areas underlain by limestone have the potential for subsidence, resulting in damage to personal health and property. Staff recommends investigating soil stability by conducting a geophysical study for portions of the property subject to the proposed improvements, including the geothermal loop piping. [Revised General Plan (RGP) Limestone Conglomerate Policy 2]
2. The proposed geothermal loop piping depicted on the special exception plat is in close proximity to drainfield site PSSD-1966-0138, as identified by Loudoun County Geographic Information System (LOGIS) data. Since the existing conditions plan identifies a septic tank and pump chamber that connects to a pressure line that continues south to an off-site sewer line, the drainfield may no longer be in use. Staff recommends coordinating with the Health Department to verify that the proposed geothermal loop piping does not create a conflict with the drainfield site.
3. Given the building roof's southern exposure, staff recommends that the applicant consider solar energy or a solar hot water system as part of the building upgrades. Providing an on-site renewable energy system is consistent with Public Facilities text and General Public Facilities Policy 3 on page 3-6 of the RGP, which state that it is important that the location and design of public facilities set the highest possible standards and a positive example. The County is currently pursuing solar hot water technology as part of the design for Middle School #5.

Please contact me if you need additional information or have questions.

A-19

Elabarger, Mike

From: Lewis-Degrace, Marc
Sent: Tuesday, March 30, 2010 11:01 AM
To: Elabarger, Mike
Cc: Beacher, Andrew; Mosurak, Lou; Smithson, Terri
Subject: SPEX 2009-0022, SPEX 2009-0024 Lucketts Community Center & Child Daycare Facility (OTS 3rd Referral Comments)

Mike – This email serves as the 3rd OTS referral on these applications. I have received the materials you provided on 3/26/2010 and have no additional comments beyond those stated in the 2nd OTS referral dated 3/16/2010.

Please let me know if you need anything further regarding these applications.

Marc J. Lewis-DeGrace
Transportation Planner
Office of Transportation Services
1 Harrison Street S.E.
Leesburg, VA 20177-7000
(571) 258-3553

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: March 16, 2010
TO: Michael Elabarger, Project Manager
Department of Planning
FROM: Marc Lewis-DeGrace, Transportation Planner
SUBJECT: **SPEX 2009-0022 Lucketts Community Center**
SPEX 2009-0024 Lucketts Community Center Child Care
Second Referral



Background

This referral updates the status of issues identified in the first Office of Transportation Services (OTS) referral on these applications (dated October 20, 2009). These Special Exception (SPEX) applications propose an expanded community center and child care center in the Countryside Residential (CR-4) zoning district. The site is located on the southeast corner of James Monroe Highway (US Route 15) and Lucketts Road (Route 662) in the Village of Lucketts. Access to the site is via an existing entrance from Lucketts Road.

In its consideration of these applications, OTS reviewed materials received from the Department of Planning on February 1, 2010, namely (1) a letter responding to first referral comments, dated October 23, 2009, (2) a Special Exception plat (plan set), dated June 19, 2009 and revised through October 13, 2009, prepared by William H. Gordon Associates.

Status of Transportation Issues/Comments

Staff comments from the first OTS referral as well as the Applicant's responses (quoted directly from its October 23, 2009 response letter) and current issue status, are provided below.

1. Initial Staff Comment (1st Referral): The Applicant should confirm that the existing site entrance meets all applicable VDOT standards.

Applicant's Response (December 4, 2009): The existing entrance will be updated to conform to VDOT standards with the site plan and with the required VDOT land use permit.

Issue Status: **Issue resolved.**

Conclusion

OTS has no objection to the approval of the applications.

cc: Andrew Beacher, Assistant Director, OTS
Lou Mosurak, Senior Coordinator, OTS

A-21

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: October 20, 2009

TO: Michael Elabarger, Project Manager
Department of Planning

FROM: Marc Lewis-DeGrace, Transportation Planner

SUBJECT: **SPEX 2009-0022 – Lucketts Community Center**
SPEX 2009-0024 – Lucketts Community Center Child Care
First Referral



Background

These Special Exception (SPEX) applications propose an expanded community center and child care center in the Countryside Residential (CR-4) zoning district. The site is located on the southeast corner of James Monroe Highway (US Route 15) and Lucketts Road (Route 662) in the Village of Lucketts. Access to the site is via an existing entrance from Lucketts Road. A vicinity map is provided as *Attachment 1*.

In its consideration of these applications, the Office of Transportation Services (OTS) reviewed materials received from the Department of Planning on August 4, 2009, including (1) a statement of justification, dated July 21, 2009, (2) a traffic impact letter, dated June 15, 2009, both prepared by the Loudoun County Office of Capital Construction, and (3) a Special Exception plat (plan set), dated June 19, 2009, prepared by William H. Gordon Associates.

Existing, Planned and Programmed Transportation Facilities

According to the Revised General Plan, the site is located within the Rural Policy Area. Major roadways serving the site are described below. OTS' review of existing and planned transportation facilities is based on the 2001 Revised Countywide Transportation Plan (2001 Revised CTP) and the 2003 Bicycle & Pedestrian Mobility Master Plan (2003 Bike & Ped Plan).

James Monroe Highway (US Route 15) (segment from the Town of Leesburg north to the Maryland State Line) is classified by the 2001 Revised CTP as a principal arterial, and is a designated Virginia Scenic Byway. It is built to its ultimate planned two-lane rural undivided (R2) section within a variable right-of-way (ROW). In the vicinity of this site it has a separate right-turn lane onto Lucketts Road.

There is currently a VDOT project to slightly realign US 15 through Lucketts, add shared turn lanes and install sidewalks on Stumptown and Lucketts Roads. These improvements will move US 15 to the west, clear lines of sight and provide for safer turning movements. In addition, a bike lane will be installed on the east side of US 15. These improvements will not have any effect on this application.

The 2003 Bike & Ped Plan categorizes this segment of roadway as a "baseline connecting roadway" along which bicycle and pedestrian facilities are envisioned.

A-22

Lucketts Road (Route 662) is designated as a local secondary road and is currently built as a two-lane undivided divided (R2) section. The **2003 Bike & Ped Plan** categorizes Lucketts Road as a “baseline connecting roadway” along which bicycle and pedestrian facilities are envisioned.

Review of Submitted Traffic Information

The Applicant's submitted traffic information (dated June 15, 2009) analyzed current traffic conditions at the site entrance onto Lucketts Road (Route 662). The site is currently used as an existing Community Center with a child care facility; the child care facility currently serves a total of 40 students and staff. The modifications proposed on site will not increase the number of children served at the child care facility, and therefore there will be no changes in trip generation. Children are anticipated to be on site from 8:30 AM through 3:15 PM, Monday through Friday.

Existing (2009) Traffic Volumes and Intersection Level of Service (LOS)

Traffic counts were performed on May 6, 2009 to obtain current traffic data for the site entrance; these counts were taken between 7:45 AM and 9:45 AM, which includes the anticipated peak hour for site traffic (between 8:30 AM and 9:30 AM). Traffic count data is provided as *Attachment 2*. An average of 122 vehicles per hour passed through the Lucketts Road/site entrance intersection during this two-hour period, resulting in LOS A at the site entrance. Since no increase in enrollment is anticipated, existing counts also represent future conditions for the site. The most recent (2007) VDOT traffic counts indicate that a total of 1,100 vehicles per day utilize this segment of Lucketts Road (just east of US Route 15). The Applicant anticipates that the renovated community center will be completed in early 2011.

Traffic Information Summary

The Applicant's submitted materials indicate that the renovation of the facility will have little or no impact on the current capacity of LOS on Lucketts Road at the site entrance. The Applicant's materials state that the existing entrance and site access are functioning adequately, and do not recommend any improvements.

Transportation Comments

1. The Applicant should confirm that the existing site entrance meets all applicable VDOT standards.

Conclusion

Subject to resolution of the comment listed above, OTS would have no objection to the approval of the applications.

ATTACHMENTS

1. Site Vicinity Map
2. Traffic Count Data (May 6, 2009)

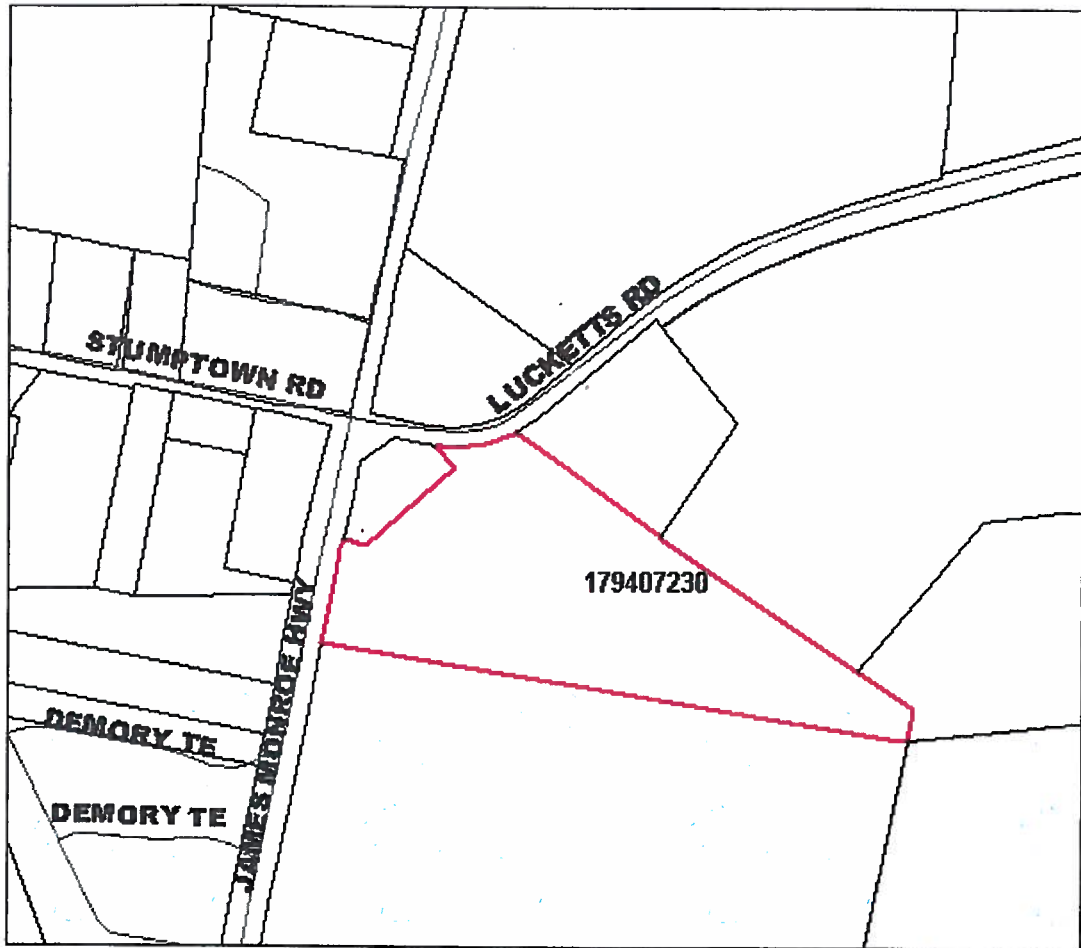
cc: Andrew Beacher, Assistant Director, OTS
Lou Mosurak, Senior Coordinator, OTS

A.23

Loudoun County Mapping System



7,127,917



7,126,465

11,755,929

Map Width=1,660 feet

11,757,589

Created on 9/29/2009 4:56:54 PM

PIN	Address
179407230	42361 Lucketts Rd Leesburg 20176

* General Parcel Information *

PIN: 179407230

Tax Map #: /20/////////39/

Parcel Address: 42361 LUCKETTS RD LEESBURG 20176

Owner Name: LOUDOUN, COUNTY OF

Primary Zoning: CR4

GIS Parcel Type: P

ATTACHMENT 1

A-24

LUCKETTS COMMUNITY CENTER - TRAFFIC DATA

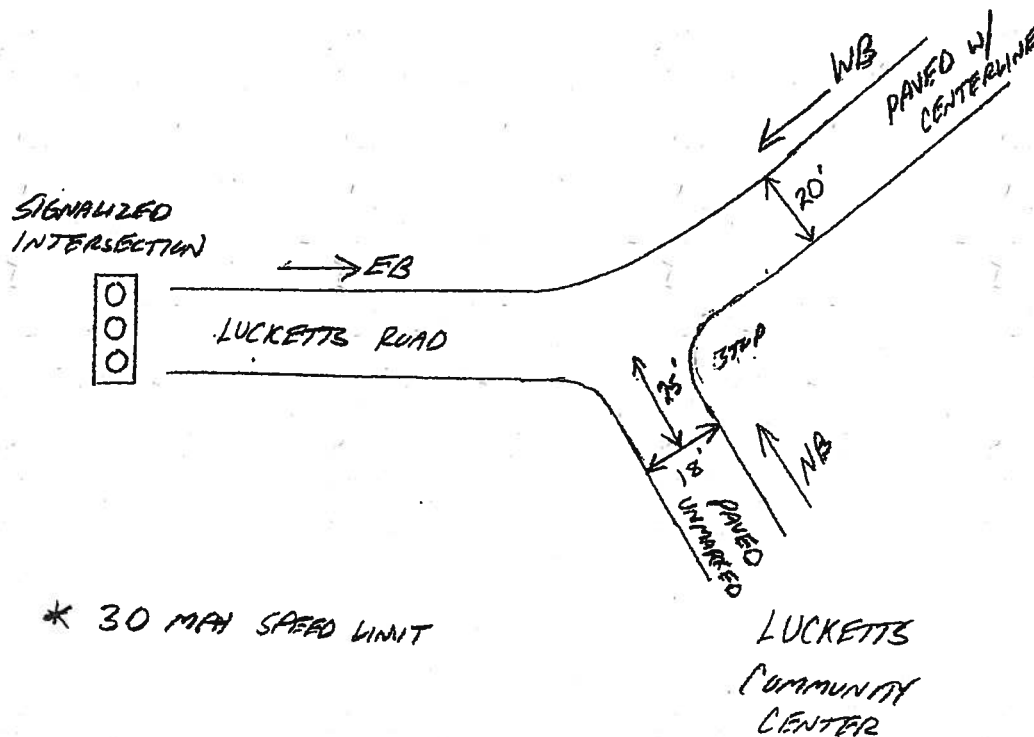
2007 VDOT Traffic Count Data for Lucketts Road (Route 662):

AADT 1100 vpd
K factor n/a

Traffic Count from Wednesday, May 6, 2009:

	EBT	EBR	WBT	WBL	NBL	NBR	TOTAL
	→	↘	←	↙	↖	↗	
7:45-8:15	12+ 1 Bus	1	46+2 Bus	0	1	0	63
8:15-8:45	17	3	39	0	1	0	60
8:45-9:15	12	10	29	10	7	10	78
9:15-9:45	9	3	24	1	3	2	42

Traffic counts from 5/6/09 reflect future conditions as no increase in enrollment is anticipated.





COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

September 1, 2009

Mr. Michael Elabarger, Project Manager
County of Loudoun
Department of Planning MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000



Re: Lucketts Community Center and Child Care
Loudoun County Application Number: SPEX 2009-0022 & SPEX 2009-0024

Dear Mr. Elebarger:

We have reviewed the above referenced application as requested, and as the application proposes no new land use or increase in traffic generation, this office has no objection to approval of the Special Exceptions subject to the following comment.

1. Recommend the existing entrance on Route 662 be widened to meet current VDOT standards.

If you have any questions, please call me at (703) 383-2041.

Sincerely,

Thomas B. Walker
Senior Transportation Engineer



LOUDOUN COUNTY, VIRGINIA
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



Memorandum

To: Mike Elabarger, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner
Date: August 20, 2009
Subject: Lucketts Community Center, SPEX 2009-0022
Lucketts Community Center -- Child Care, SPEX 2009-0024



Thank you for the opportunity to review the above captioned application.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Lucketts VFRC Station 10 Travel Time
179-40-7230	Lucketts Community Center	15 seconds

Travel times are determined using ESRI GIS network analyst along the county's street centerline with distance and speed limit being the criteria. Travel time is reported in minutes and seconds. For the approximate response time two minutes is added for turnout time.

Project name	Lucketts VFRC Station 10 Response Times
Lucketts Community Center	2 minutes, 15 seconds

The Fire and Rescue Staff has no comments regarding this request. If you have any questions or need additional information, please contact me at 703-777-0333.

c: Project file



Loudoun County Health Department

P.O. Box 7000
Leesburg VA 20177-7000



Environmental Health
Phone: 703 / 777-0234
Fax: 703 / 771-5023

Community Health
Phone: 703 / 777-0236
Fax: 703 / 771-5393

February 5, 2010

MEMORANDUM TO: Michael Elabarger, Project Manager MSC # 62
Department of Planning

FROM: Joseph E. Lock MSC # 68 *JP*
Rural Section Supervisor
Division Of Environmental Health

SUBJECT: SPEX 2009-0022-Lucketts Community Center
SPEX 2009-0024- Lucketts Community Center Child Care
LCTM 20/39, PIN 179407230



The above referenced project meets the requirements of Section 1245.10 of the LSDO for:

	Yes	No	N/A
a. Proposed Drainfield Sites	_____	_____	<u>X</u>
b. Proposed Wells	_____	_____	<u>X</u>

The locations on the plat, submitted by William H. Gordon Associates, Inc. dated June 2009 (with County comments dated 10/2009), are correct as shown:

a. Wells (existing and proposed)	<u>X</u>	_____	_____
b. Drainfield Sites	<u>X</u>	_____	_____

Health Department staff recommends: Approval___ Denial___
Approval with conditions X

Items that are incorrect/deficient are listed on the attached page.

Attachments Yes X No _____

If further information or clarification on the above project is required, please contact me at (703)771-5800.

JEL/JDF/jel *JP*
C:LuckettsCommunityCenter2.Referral



A-28

ATTACHMENT

This office will require an application for a geothermal well if one is proposed in the future. The proposed well site must meet all required setbacks to sewer lines, drainfield areas (existing or abandoned) and septic components.

The well shown closest to the Community Center should be labeled as abandoned.



Loudoun County Health Department

P.O. Box 7000
Leesburg VA 20177-7000



Environmental Health
Phone: 703 / 777-0234
Fax: 703 / 771-5023

Community Health
Phone: 703 / 777-0236
Fax: 703 / 771-5393

August 7, 2009

MEMORANDUM TO: Michael Elabarger, Project Manager MSC # 62
Department of Planning

FROM: Joseph E. Lock MSC # 68 *(signature)*
Rural Section Supervisor
Division Of Environmental Health

SUBJECT: SPEX 2009-0022-Lucketts Community Center
SPEX 2009-0024- Lucketts Community Center Child Care
LCTM 20/39, PIN 179407230

The above referenced project meets the requirements of Section 1245.10 of the LSDO for:

	Yes	No	N/A
a. Proposed Drainfield Sites	_____	_____	<u>X</u>
b. Proposed Wells	_____	_____	<u>X</u>

The locations on the plat, submitted by William H. Gordon Associates, Inc. dated June 2009, are correct as shown:

a. Wells (existing and proposed)	<u>X</u>	_____	_____
b. Drainfield Sites	<u>X</u>	_____	_____

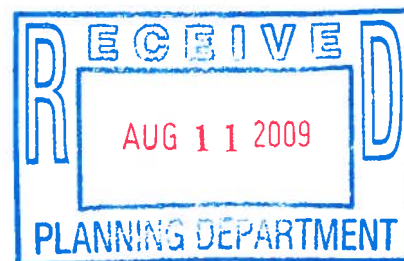
Health Department staff recommends: Approval__ Denial__
Approval with conditions X

Items that are incorrect/deficient are listed on the attached page.

Attachments Yes X No _____

If further information or clarification on the above project is required, please contact me at (703)771-5800.

JEL/JDF/jel *(signature)*
C:LuckettsCommunityCenter.Referral



A
30

ATTACHMENT

This office would recommend that the plat show the existing water line leading to the Loudoun County School Board property. This could be shown on the existing conditions page of the plat (page 3 of 5).

This office would recommend that the existing well be abandoned if it is not being used. This would require the submission of an application for the abandonment. A permit would be issued and the well abandonment must be witnessed by this office. (Office Policy)

If the existing well is not abandoned, the addition must meet all current setbacks to the well. The addition could be approved if it is to be no closer than the existing structure is to the well. A waiver request is required if the addition is proposed to be 15' or less to the existing well. In all cases a deed recordation will be required that no termite treatment is to occur for the addition and within 100' of the well. An addition check application and site visit will be required for clearance of the proposed building addition. (Well waiver, Office Policy)

September 9, 2009

Mr. Michael Elabarger
Department of Planning
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, VA 20177-7000

**Re: SPEX – 2009-0022 & SPEX-2009-0024;
Lucketts Community Center & Lucketts Community Center
Childcare**

Dear Mr. Elabarger:

Loudoun Water has reviewed the referenced application for Special Exception and has no comment; we do not serve this area. Our Community Systems Department does provide some technical assistance but does not need the benefit of further review.

Should you have any questions, please feel free to contact me.

Sincerely,



Julie Atwell
Engineering Administrative Specialist

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CORRESPONDENCE SUMMARY

DATE: February 23, 2010

DETERMINATION NUMBER: ZCOR-2009-0220 clarify.ts

SUBJECT: Parking reduction for shared parking facility, Lucketts Community Center and daycare

1972 ORDINANCE REFERENCE NUMBERS:

1993 ORDINANCE REFERENCE NUMBERS: 5-1102(F)(1) and (2)*

OTHER APPLICABLE REFERENCE NUMBERS: SPEX 2009-0022*, SPEX 2009-0024*

TAX MAP/PARCEL NUMBER: /20/////////39/

MCPI: 179-40-7230

Correspondence Summary: A parking waiver for 13 spaces was granted, however, a waiver for 3 more spaces is needed to account for the childcare center designated pick-up and delivery area.

Author: Theresa M. Stein

*Indicates where to file

Is this a determination? Check one: Yes X No

PROPERTY OWNER: LOUDOUN COUNTY
DEPARTMENT OF PARKS AND RECREATION
1 HARRISON ST, SE
PO BOX 7000
LEESBURG, VA 20177-7000



Loudoun County, Virginia

www.loudoun.gov

Department of Building and Development

Zoning Administration / MSC# 60

1 Harrison Street, S.E., P.O. Box 7000, Leesburg, VA 20177-7000

Administration: 703-777-0397 • Fax: 703-771-5215

February 23, 2010

Mr. William E. Junda, PE
William H. Gordon Associates, PE
4501 Daly Drive
Chantilly, VA 20151

Dear Mr. Junda:

This correspondence is to clarify ZCOR 2009-0220 in which you were granted a reduction in the number of required parking spaces for SPEX 2009-0022 and SPEX 2009-0024 in accordance with Section 5-1102(F) of the *Revised 1993 Loudoun County Zoning Ordinance* ("Ordinance"). In your original letter you stated 18 parking spaces are required for the childcare center, however, you did not take into account the 3 additional spaces required for designated pick-up and delivery per Section 5-609(B)(2) of the Ordinance. The total number of parking spaces required for the childcare center is 21 (18 required per Section 5-1102 and the additional 3). The designated pick-up and delivery spaces result in the need for a waiver of 16 required parking spaces, not 13 as stated in ZCOR 2009-0220. You must provide a revised parking plan to demonstrate where 16 spaces will be provided should the Zoning Administrator recommend the reduction be modified or revoked. Further, your draft parking covenant must reflect the increase in the number of waived spaces.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the *Zoning Ordinance* may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*. This decision is final and unappealable if not appealed within 30 days.

Please contact me at (703)777-0397, if you have any additional questions.

Sincerely,

Theresa M. Stein, Planner, CZO
Zoning Administration

cc: Sally Kurtz, Supervisor, Catoclin Election District
Dan Schardein, Zoning Administrator
Mark O. Stultz, Deputy Zoning Administrator
Mike Elabarger, Dept of Planning

A-34

CORRESPONDENCE SUMMARY

DATE: December 11, 2009

DETERMINATION NUMBER: ZCOR-2009-0269
WAIV-2009-0084

SUBJECT: Buffer Waiver for Lucketts
Community Center and Daycare

1972 ORDINANCE REFERENCE NUMBERS:

1993 ORDINANCE REFERENCE NUMBERS: 5-1409 (H)*

OTHER APPLICABLE REFERENCE NUMBERS: SPEX 2009-0022/SPEX 2009-0024*
STPR 2009-0069*

TAX MAP/PARCEL NUMBER: /20/////////39/

MCPI: 179-40-7230

Correspondence Summary: The buffer modification/waiver requested for the southern, western, and northwestern is granted pursuant to 5-1409(H) as the Loudoun County Sheriff's Office has provided a recommendation to eliminate any additional buffers. Staff grants the modification with conditions. No buffer modification/waiver is justified or granted for the northern or eastern boundary.

Author: Theresa M. Stein

*Indicates where to file

Is this a determination? Check one: Yes X No _____



Loudoun County, Virginia

www.co.loudoun.va.us

Department of Building and Development

Zoning Administration / MSC# 60

1 Harrison Street, S.E., P.O. Box 7000, Leesburg, VA 20177-7000

Administration: 703-777-0397 • Fax: 703-771-5215

December 11, 2009

Mr. Daniel Csizmar, Planner
Dept. of Construction and Waste Management
211 Gibson Street, NW
Suite 123, MSC #64
Leesburg, VA 20176

RE: Request for landscape buffer waiver/modification for SPEX 2009-0022/-0024,
Lucketts Community Center and Childcare (WAIV 2009-0084)

TAX MAP/PARCEL NUMBER: /20/////////39/ **MCPI:** 179-40-7230

Dear Mr. Csizmar:

This letter is in response to your December 3, 2009 request to waive the required landscape buffer for the southern, eastern, western, and a portion of the northern boundary of the Lucketts Community Center, per Section 5-1409(H) of the Revised 1993 Loudoun County Zoning Ordinance (the "Ordinance"). A letter from Captain Rick Frye, with the Loudoun County Sheriff's Office, to Sandy Hunter, dated October 30, 2009, accompanied the request and stated that based on the concepts applied through Community Policing through Environmental Design, a "serious reduction" or "total deletion of additional trees and shrubbery is optimal" for the site.

Section 5-1409(H) of the Ordinance permits the Zoning Administrator to waive or modify the buffer yard requirements for public uses upon recommendation by the Sheriff's Office that the required screening creates a security concern. The Zoning Administrator may attach conditions to any waiver/modification to assure that the results of the waiver/modification will be in accordance with the Ordinance. Given the recommendation and information provided in Captain Frye's letter, a waiver of the buffer yard for the southern and western, and portion of the northwestern boundary adjacent to the .35 acre vacant open space parcel (PIN 179-40-5349) is granted with the condition that if any existing vegetation shown in those areas on the special exception (SPEX) plat, issued June 19, 2009 and revised thereafter, dies or is damaged by construction, a similar species taken from the preferred plant type list, provided in Section 5-1414(C), will be planted in its place. A second condition of the waiver is that the existing southern tree line shown on the SPEX plat, in the vicinity of the CR-1 zoning district boundary, must be placed in a tree conservation easement so that it will remain undisturbed. In addition, the required buffer width must be maintained and may only be used as allowed per Section 5-1408 of the Ordinance.

A-36

A waiver/modification for the northern boundary adjacent to the Lucketts Fire/Rescue Station (PIN 179-40-8655) is not necessary because no buffer is required between uses in a similar land use group per 5-1414(A) of the Ordinance. The waiver for the remainder of the northern boundary is denied as it is not in close proximity to the community center/child care center or its play area, and is less of a security risk. Existing vegetation along the remaining northern boundary may be counted toward the required buffer, in accordance with Section 5-1403(B), if it can be demonstrated that the existing vegetation meets or exceeds the required buffer.

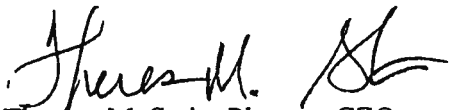
No waiver/modification is granted for the eastern rear boundary because of the reduced security issues and that the SPEX plat indicates that there may be existing vegetation that meets or exceeds the Ordinance requirement for a Type II rear buffer. However, whether the existing vegetation along the northern side yard or the rear buffer yard is sufficient to be in compliance with the required Type II buffer cannot be verified this point, as the SPEX plat did not provide sufficient detail to conclude that it meets or exceeds the requirement. This may be determined at the time of site plan.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the *Zoning Ordinance* may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*. This decision is final and unappealable if not appealed within 30 days.

If you have any questions regarding this matter you may contact me at (703) 777-0397, ext 0120.

Sincerely,



Theresa M. Stein, Planner, CZO
Zoning Administration

CC: Sally R. Kurtz, Supervisor, Catocin Election District
Mark O. Stultz, Deputy Zoning Administrator
Robert Balinger Project Manager, Engineering
Mike Elabarger, Project Manager, Planning

A-37

CORRESPONDENCE SUMMARY

DATE: November 13, 2009

DETERMINATION NUMBER: ZCOR-2009-0220.ts

SUBJECT: Parking reduction for shared parking facility, Lucketts Community Center and daycare

1972 ORDINANCE REFERENCE NUMBERS:

1993 ORDINANCE REFERENCE NUMBERS: 5-1102(F)(1) and (2)*

OTHER APPLICABLE REFERENCE NUMBERS: SPEX 2009-0022*, SPEX 2009-0024*

TAX MAP/PARCEL NUMBER: /20////////39/

MCPI: 179-40-7230

Correspondence Summary: A reduction in parking is granted, contingent upon receipt of an executed covenant, pursuant to Ordinance section 5-1102(F)(1) and (2), as the facility has two uses with different peak occupancies.

Author: Theresa M. Stein

*Indicates where to file

Is this a determination? Check one: Yes X No

PROPERTY OWNER: LOUDOUN COUNTY
DEPARTMENT OF PARKS AND RECREATION
1 HARRISON ST, SE
PO BOX 7000
LEESBURG, VA20177-7000



Loudoun County, Virginia

www.loudoun.gov

Department of Building and Development

Zoning Administration / MSC# 60

1 Harrison Street, S.E., P.O. Box 7000, Leesburg, VA 20177-7000

Administration: 703-777-0397 • Fax: 703-771-5215

November 13, 2009

Mr. William E. Junda, PE
William H. Gordon Associates, PE
4501 Daly Drive
Chantilly, VA 20151

Dear Mr. Junda:

This correspondence is in reply to your letter to Dan Schardein, Loudoun County Zoning Administrator, requesting a reduction in the parking requirements for the Lucketts Community Center pursuant to Section 5-1102(F) of the Revised 1993 Loudoun County Zoning Ordinance ("Ordinance"). In your letter you state that there are two uses operating from the facility: a childcare center for 60 children plus employees, and a community center with multi-purpose room plus employees. You state that the main hours of operation for the childcare center is Monday through Friday, between the hours of 7:00am and 6:00 pm and that the multi-purpose room is primarily in use after 6:00pm during the week and weekends. The childcare center requires a total of 18 parking spaces and the community center requires 46 parking spaces; there are currently 44 parking spaces and 7 new spaces are proposed with SPEX 2009-0022 and SPEX 2009-0024.

Section 5-1102(F)(2) permits the Zoning Administrator to reduce the cumulative parking requirement for mixed-use occupancies where it can be determined that the peak requirement occurs at different times and the parking demand can be provided on the premises. Further, Section 5-1102(F)(1) states that the Zoning Administrator may approve a reduction if an analysis substantiates the need for a reduced number of spaces, a plan shows how the spaces will be provided on the site, and a covenant is executed for a period of 20 years guaranteeing that the additional spaces will be provided if the Zoning Administrator recommends the reduction be modified or revoked.

Based on the material you have provided, I have determined that the Lucketts Community Center has demonstrated that peak parking demand for the childcare center and community center uses occur at different times and that the peak parking demand for both uses (requiring 13 additional spaces) can be provided as shown on the provided Parking Plan should the need arise. However, no covenant was provided. Therefore, the parking reduction request is granted contingent upon receipt of a draft covenant, to be reviewed by the County prior to execution. Upon execution and recordation of the covenant, a copy must be forwarded to this office.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

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Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the *Zoning Ordinance* may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*. This decision is final and unappealable if not appealed within 30 days.

Please contact me at (703)777-0397, if you have any additional questions.

Sincerely,

A handwritten signature in blue ink, reading "Theresa M. Stein". The signature is fluid and cursive, with the first name "Theresa" and middle initial "M." clearly legible, followed by a stylized "Stein".

Theresa M. Stein, Planner, CZO
Zoning Administration

cc: Sally Kurtz, Supervisor, Catoclin Election District
Dan Schardein, Zoning Administrator
Mark O. Stultz, Deputy Zoning Administrator
Mike Elabarger, Dept of Planning

A-40

**Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center**

Loudoun County Department of Construction and Waste Management

Statement of Justification

March 23, 2010

Request

The property, approximately 4.8 acres, is split-zoned CR-4 (Countryside Residential-4) and CR-1 (Countryside Residential-1). Both CR-4 and CR-1 require Special Exception approval by the Board of Supervisors to establish Community Center and Child Daycare Center uses in these zoning districts.

The Loudoun County Department of Construction and Waste Management, on behalf of the County of Loudoun, requests approval of the following two special exception requests to legally establish the community center and child daycare center uses that currently reside in the existing Lucketts Community Center at 42361 Lucketts Road, Leesburg, VA 20176:

1. SPEX 2009-0022 Community Center – Per Section 2-504(D) of the CR-1 district, and Section 2-804(C) of the CR-4 district, to permit the establishment of a community center use in the existing structures on the property.
2. SPEX 2009-0024 Child Daycare Center – Per section 2-504(X), subject to Section 5-609, of the CR-1 district, and Section 2-804(P), subject to Section 5-609, of the CR-4 district, to permit the establishment of a child daycare center use in the existing structures on the property.

Per Section 5-1409(H), Buffer Yard Waivers and Modification, a waiver/modification is also requested in order to use existing vegetation in lieu of the required Type I (side/south and front/north yards of property) and Type II (side/west, front/west, side/north, and rear yards of property) buffer yards.

Property History

In 1913, the Lucketts School was established in the rural village of Lucketts.

In the early 1960's, the school was closed and the children were moved to a newer facility.

In October 1969, the Loudoun County Department of Parks and Recreation started a series of transactions converting former Loudoun County schools into community centers. The plan promoted the use of older schools around the county to benefit local communities. Local residents and groups envisioned great potential in using the old school buildings as community centers.

Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center

Loudoun County Department of Construction and Waste Management

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In 1972, the first “Lucketts Fair” was held on the grounds of the “Old Schoolhouse”. The Annual Lucketts Fair, now in its 37th year, was started as a means of raising funds to restore the structure which had fallen into disrepair after its closure in 1960’s.

In 1981, the “Old Schoolhouse” was transferred from the Loudoun County Public School system to the Department of Parks and Recreation at the urging of local citizens.

In 1993, the Lucketts School “Old Schoolhouse” was added to the National Registry of Historic Places and designated as a Virginia Historic Landmark.

In early 2005, Loudoun County’s Department of General Services commissioned SWSG to provide a Property Condition Report on eight county Community Centers for public safety concerns, the condition of the architectural structures, AHERA, ADA access, mechanical systems, HVAC, plumbing, fire protection, electrical, and water and septic systems. SWSG reported their findings in August 2005, which found that significant repairs, upgrades and renovations were recommended for the Lucketts Community Center.

In November 2007, the Loudoun County Board of Supervisors approved the offering of a General Bond Referendum – which was overwhelmingly supported by voters – to renovate five County Community Centers currently in operation by PRCS: the Bluemont, Lucketts, Sterling, Lovettsville and Philomont Community Centers.

The Lucketts Community Center is composed of an original building, a large auditorium and classroom building and a connecting corridor also known as the “hyphen”. The renovations at Lucketts will include the addition of a sprinkler system, upgrades to the HVAC, electrical, and plumbing systems, the addition of toilets and a security system, modifications to meet ADA requirements and state licensing requirements, the installation of a three-story lift and repair of structural deficiencies and insect damage. The proposed design modifications re-establish the original building entrance, provide for staff offices adjacent to the entrance and enlarge and renovate the hyphen to accommodate new toilets, ADA and additional space for child play (per state licensing which requires a minimum of 35 square feet of activity space per child).

Since 1986, a community center and child daycare center have been operating from the existing Lucketts Old Schoolhouse. At that time, the subject parcel was split zoned R-4 and R-1 and was governed under the 1972 Loudoun County Zoning Ordinance and it was brought under the Revised 1993 Zoning Ordinance.

The R-4 and R-1 zoning district regulations under the 1972 Zoning Ordinance allowed a community center only with special exception approval by the Board of Zoning Appeals with a recommendation from the Planning Commission. There is no record with the County of a special exception being approved for a community center use on the property. There is also no

Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center

Loudoun County Department of Construction and Waste Management

Statement of Justification

March 23, 2010

record with the County of any administrative site plan being approved, or permits being issued, for a community center on the property. Therefore, though originally intended to request approval to do the above noted renovations and improvements, these two applications seek to legally establish the already occurring uses, which would include review of the proposed renovations as well as the existing state of the operation of the uses on the property (i.e., conformance with all the current Ordinance requirements, etc.). If unable to meet any Ordinance requirement, as determined through review by Building and Development – Zoning Administration, modifications through this application may be requested with subsequent submissions of these applications.

Existing/Proposed Uses

The Center currently has a total staff of 22 employees, with a maximum of 12 on site at any one time - a full time Manager, Assistant Manager, one Center Assistant, part time Facility Supervisors, a Customer Service employee, child care and preschool staff, instructors and volunteers. The Center offers Monday –Friday (7 AM to 6 PM) child care services, and nine-month preschool and after school programs serving over 100 children, though no more than 60 children are in the building, nor licensed to be, at any one time. Most of the programs and services are operated on a revenue neutral basis, generating \$312,545 in FY'08. Community groups like the Boy Scouts and civic groups use the facility at no charge during operating hours. The Lucketts Community Center offers a wide range of quality children's programs inclusive of State licensed preschool and child care programs, as well as a broad selection of year-round family activities and recreational programs like the Lucketts Fair, the historic Lucketts Antique Fair and Classic Auto Show, and the nationally renowned Bluegrass Concert Series held every Saturday evening from October through April.

With the legal establishment of the two uses, and the planned renovations and bathroom expansion, the number of students served and staff required to serve those students will remain the same as it is currently. The center is licensed for a maximum of 60 students at any one time and this will not change since we are not adding program space.

In 2005, Loudoun County's Department of General Services commissioned SWSG to provide a Property Condition Report on eight of Community Centers for public safety concerns, the condition of the architectural structures, AHERA, ADA access, mechanical systems, HVAC, plumbing, fire protection, electrical, and water and septic systems. SWSG reported their findings in August 2005. The findings reported significant repairs, upgrades and renovations were recommended for the Lucketts Community Center.

In November 2007, the Loudoun County Board of Supervisors approved the offering of a General Bond Referendum to renovate five Community Centers currently in operation by PRCS: the Bluemont, Lucketts, Sterling, Lovettsville and Philomont Community Centers. The voters

**Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center**

Loudoun County Department of Construction and Waste Management

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granted overwhelming support to renovate these cherished community center facilities. The required renovations included upgrades to the HVAC, electrical, and plumbing systems, ADA, waterproofing the basement and renovating interiors to accommodate the new child care standards requiring 35 square feet of activity space per child.

Transportation

The Lucketts Community Center is located along James Monroe Highway, Route 15, and the entrance to the community center is off of Lucketts Road, Route 662.

There are no proposed changes to the current entrance. It is not anticipated that any turn lanes or deceleration tapers will be required for the entrance.

Considering the following, the Department of Construction and Waste Management feels that this facility can be operated without additional roadway improvements:

1. The proposed facility will have little or no impact on the current capacity and level of service of James Monroe Highway or Lucketts Road.
2. Entrance and site access have been functional in its existing state.

Issues for Consideration

Section 6-1310 of the Revised 1993 Loudoun County Zoning Ordinance requires that the Statement of Justification for each special exception application address the following standards:

(A) *Whether the proposed special exception is consistent with the Comprehensive Plan.*

The Revised General Plan recognizes “Historic and Archaeological Resources” as one component of the County’s Heritage Resource Assets. Chapter 5 of the Revised General Plan provides, “The County will protect structures and other features of historic significance in the context of their natural settings and will work with landowners to convey the historic value of the resource to the community at large. Structures and other features of particular historical significance will be retained, restored, or utilized in adaptive reuse as part of a conservation design process.”

The proposed expansion of the Lucketts Community Center is required to allow for its adaptive re-use as a community center from its original use as a school. The proposed

**Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center**

Loudoun County Department of Construction and Waste Management

Statement of Justification

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expansion is required to update the facility to meet ADA requirements and State mandated child care requirements for facility square footage.

- (B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

With the renovation planned to accompany the legal establishment of the community center and child daycare center uses, the building will be fully sprinklered when renovation is complete. Lucketts Community Center is located immediately adjacent to the Lucketts Fire and Rescue station.

- (C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use negatively impacts the uses in the immediate area.*

Legal establishment of the proposed uses, which are currently operating in the same intensity as that proposed herein, will not create any increase in noise. Any noise associated with the Community Center would be due to children playing outside; there are no provisions in the Zoning Ordinance to regulate such noise.

Whether glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

Any outdoor lighting on the property currently must comply with the light and glare standards of Section 5-1504. The applicant is agreeable to a condition of approval that all lights will be shielded to direct light downward and inwards towards the property in order to limit the amount of light that is dispersed to adjacent properties.

- (D) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*
- (E) The legal establishment of the proposed uses in the existing Community Center is compatible due to the location of several County Public Use sites contiguous to each other (Lucketts Community Center, Lucketts Elementary School, Lucketts Volunteer Fire Department), which allows for the excellent synergy between public services and a central location to which the community knows to go to local services.*
- (F) Whether [there is] sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*

Any concerns regarding landscaping, screening and buffering should be brought to the attention of the Applicant during the Special Exception review. The proposed use on the

Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center

Loudoun County Department of Construction and Waste Management

Statement of Justification

March 23, 2010

property is not changing from the current use on the property; the size of the programs being offered at the community center is not changing. The current landscaping and buffering on the property should be adequate for the current and proposed use, subject to approval of the pending landscape buffer waiver/modification request.

- (G) *Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.*

Legal establishment of the proposed uses, which are currently operating in the same intensity as that proposed herein, will not negatively affect any of these features, and the proposed renovations will ensure the continuation of the adaptive re-use of an historic school building. Without the approval of the Special Exception for the use on the property, the County will not be able to run its child care and pre-school programs out of the Community Center, endangering the ability of the County to operate the historic structure as a Community Center.

- (H) *Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

Legal establishment of the proposed uses, and the proposed addition and renovations will not endanger these features. This will not require the clearing of any additional land or vegetation. Therefore no additional impacts to animal habitat or vegetation are anticipated. Due to the minimal construction of new building, the trace decrease in pervious area should generate trace amounts of additional runoff. As a result, no storm water mitigation would be required as well as no negative impacts to water quality are anticipated. Additionally, no air quality impacts are anticipated from legal establishment of the proposed use.

- (I) *Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.*

Legal establishment of the proposed uses will allow the Lucketts Community Center to continue to offer child care and preschool activities and programs to the public at this location. The associated renovations will upgrade the facility to make it ADA compliant, allowing handicapped residents to access the facility and program offerings more easily.

- (J) *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

Legal establishment of the proposed uses, which are currently operating in the same intensity as that proposed herein, will not increase the size or enrollment of any of the current day care or programmatic offerings at the Community Center, and therefore, will have little to no additional impact on the local traffic network. There are no proposed

Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center

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Statement of Justification

March 23, 2010

modifications to the current entrance, and no turn lanes or deceleration tapers will be required for the entrance.

Both vertical and horizontal alignments and corresponding sight distance measurements were found to be adequate. The proposed facility will have little or no impact on the current capacity and level of service of James Monroe Highway and Lucketts Road. Entrance and site access have been functional in its existing state.

- (K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.*

Legal establishment of the proposed uses would then allow the applicant to make the facility ADA compliant and meet State mandates for child care facility square footage.

- (L) Whether the proposed special exception will be served adequately by essential public facilities and services.*

The proposed uses, which are currently operating, are adequately served by the local road network and can handle the traffic to and from the community center, which is not expected to increase above current levels of activity. The site is served by well and septic systems, and is not reliant on public or communal water systems.

- (M) The effect of the proposed special exception on groundwater supply.*

Legal establishment of the proposed, and already occurring, uses should have no effect on the groundwater supply.

- (N) Whether the proposed use will affect the structural capacity of the soils.*

Legal establishment of the proposed, and already occurring, uses will have no affect on the structural capacity of the existing soils.

- (O) Whether the proposed use will negatively impact orderly and safe road development and transportation.*

Legal establishment of the proposed, and already occurring, uses will not change the size of the programming on the property, and is not expecting to increase traffic into or out of the community center facility. The proposal will not negatively impact road development in the area.

**Special Exception 2009-0022 – Lucketts Community Center
Special Exception 2009-0024 – Lucketts Child Daycare Center**

Loudoun County Department of Construction and Waste Management

Statement of Justification

March 23, 2010

- (P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

Legal establishment of the proposed, and already occurring, uses will allow the Department of Parks, Recreation and Community Services to continue to operate its child care and preschool programs. Without the approval of the application, the facility will not meet required facility standards to operate its current level of programming, which would result in the loss of employees at the facility.

- (Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.*

Legal establishment of the proposed, and already occurring, uses programming is needed to support the local workforce and businesses by helping to provide the community with needed child care, preschool, after school and summer camp programs to assist the local community with child care needs.

- (R) Whether adequate on and off-site infrastructure is available.*

Legal establishment of the proposed, and already occurring, uses are served by an off-site well at Lucketts Elementary School, on-site septic tank, pump chamber and pressure line that connects to an off-site sewer line at Lucketts Elementary School. The site has adequate road access off of Lucketts Road.

- (S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.*

Legal establishment of the proposed, and already occurring, uses will not produce any offensive or unusual odors will be generated by this use.

- (T) Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

Legal establishment of the proposed, and already occurring, uses, and the noted renovations, will provide access to the site for construction vehicles from Lucketts Road. The applicant is amenable to a condition of approval regarding times of the day that construction vehicles should use James Monroe Highway or Lucketts Road so as not to impede local traffic during times of the day with heavy volume in the vicinity of the property.



April 13, 2010

Mr. Mike Elabarger
Project Manager
County of Loudoun
Department of Planning
1 Harrison Street, SE
Leesburg, VA 20177-7000

RECEIVED

APR 14 2010

LOUDOUN COUNTY
DEPARTMENT OF PLANNING

Subject: Lucketts Community Center SPEX-2009-0022
Lucketts Community Center Child Care SPEX-2009-0024

Reference WHGA Project No. 2785-0101

Dear Mr. Elabarger:

The following is our response to referral agency comments:

**WITH REGARD TO THE LOUDOUN COUNTY DEPARTMENT OF BUILDING AND
DEVELOPMENT FROM THERESA M. STEIN DATED April 6, 2010, MY RESPONSE IS AS
FOLLOWS:**

1. Original comment: "Confirm that the facility will be served by well and septic. Sheet 3 indicates that there is a sewer line that leads to the school, located to the south of the subject. If public sewer is provided, the provisions of Sections 2-806 and 2-809 apply and sheet 2 of the Plat will need to be revised." The well and sewage system does not meet the Ordinance definition of "water, public" or "sewer, public" in that it is not owned or operated by a municipality, Loudoun Water, or a public water utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. The response stated that the well and sewage treatment is privately maintained by the School Board and "classified" as public by Virginia Department of Health-Office of Drinking Water ("VDH"), which monitors the water, and the Virginia Department of Environmental Quality ("DEQ"), which is responsible for sewer compliance. However, those entities do not meet the Ordinance definition of "water, public"/"sewer, public" or the State Code definition of "public water/sewer utility". Further, the SPEX plat sheets indicate that a well and septic tank/drainfield continue to be operational on the site. VDH stated that they believe after the well at the community center failed, the well was abandoned, however, the plat sheet does not reflect the well was abandoned. Without documentation that the current water and sewer system (termed "public, non-community well" by the County Health Department) meets either the Ordinance or State Code definition of public, the site must use the lot and building requirements for "Lots Served by On-Site Well and Wastewater Systems", Sections 2-805 and 2-808. If the applicant can provide documentation, staff will review it for compliance with the Ordinance. In reviewing the proposal and current conditions, there is little impact in using the increased yard and decreased lot coverage requirements due to the buffer yard width requirements and size of the lot. One side yard may remain 9', but the others will be 12' and the proposed lot coverage is well

Mr. Mike Elabarger, Planner
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within the reduced maximum lot coverage. The Lot Requirement and Building Requirement tabulations must be revised to reflect Sections 2-805 and 2-808 unless the water/sewer system is determined to be public per the Ordinance or Code. The sewer system is deemed "public" because it serves more than 2 lots; however, The existing water and sewer system does not meet the Ordinance definition of public. "Water, public" is defined as a central, communal or municipal water supply system serving more than 2 lots owned or operated by a municipality or Loudoun Water or public water utility defined by the Code of VA. The existing water system does not meet the definition of central (water supply system for Eastern Loudoun County owned and operated by Loudoun Water), communal (water supply system owned or operated by Loudoun Water or public water utility defined in the Code of VA) or municipal (owned by one of the incorporated towns) water supply system provided in the Ordinance. "Sewer, Public" is a similar definition. Serving more than 2 lots is not enough to met the definition of "public" per the Ordinance. Therefore, the Lot and Building Requirements titled "Served by Both Public Water and Public Sewer" may not be used. As requested in the prior referral, revise the yards, coverage and allowed height on the plat unless evidence can be provided that the water/sewer system meets one of the three types of systems recognized as public in the Ordinance.

Response: The Lot Requirement and Building Requirement tabulations have been revised to reflect the provisions of Sections 2-805 and 2-808 of the Revised 1993 Zoning Ordinance and the yards have been adjusted accordingly. Please see Sheet 2 for revised tabulations and Sheet 4 for a plan view of the revised yards.

2. Original comment: "Remove General Note 13 and the asterisk under the Landscaping/Buffering tabulation on sheet 2. A buffer waiver is a separate request that is made to the Zoning Administrator demonstrating how one or more circumstances in Section 5-1409 are met..." A buffer waiver was granted for the south, west, and a portion of the northwestern boundary only, with conditions. Revise General Note 13 on sheet 2 to state that the waiver was granted in part and state the conditions attached to the waiver approval. Add ZCOR 009-0269 as a part of the SPEX plat. One condition of waiver approval was that any existing vegetation shown on the SPEX plat along the south, west, and northwest boundary adjacent to PIN 179-40-5349, that dies or is damaged by construction, will be replaced with a similar species taken from the preferred plant type list provided in Section 5-1414(C). Add a note regarding same to the SPEX plat. A second condition of the waiver approval is that the existing southern tree line, in the vicinity of the CR-1 zoning district boundary, must be placed in a tree conservation easement so that it will remain undisturbed and the required buffer width must be maintained. Provide such an easement or provide a condition that such will be provided prior to site plan approval.

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Make as a condition of approval or add to note 13 on the plat that the existing southern tree line, in the vicinity of the CR-1 zoning district boundary, will be placed in a tree conservation easement to be reviewed and approved by the County, prior to site plan approval.

Response: General 13 has been revised as requested. Please see Sheet 2.

3. Original comment: "Existing vegetation that meets the required screening may be used, or may be used in addition to supplemental planting, to fulfill the required screening. Revise the Landscaping/Buffering tabulation on sheet 2 to state what is required by the Ordinance and what is being "provided" or "proposed" with this application... In addition, buffering and screening shall be provided on the lot of the proposed use per 5-1405(B); therefore, any existing landscaping on the school lot to the south may not be used to fulfill the applicant's requirements. (§5-1403(B))." The tabulation on sheet 2 has two "Required" plantings column, when one should be what is proposed or provided. Revise the tabulation as requested if it can be determined at this point that what is shown in the 2nd Required column is what will be provided or exists. If it cannot be determined now what exists and what is proposed, remove the 2nd column and add a note that landscaping will be in conformance with the Ordinance requirements and in accordance with the landscape waiver approval letter. Note that, at the time of site plan, the applicant will need to distinguish between landscaping that exists and is being counted toward the requirement, and what is being planted. Further, the second Required columns do not correspond to what is shown on sheet 3, Existing Conditions. Correct or remove with a note.

Other revisions to the landscape tabulation are necessary: Add a note that the Side (South) Type 1 buffer adjacent to the school does not require any additional plantings per the approved landscape waiver, but that existing vegetation will remain as shown on the plat and is subject to a condition (see above).

The Front (North) Type I buffer, adjacent to Lucketts Road requires 2 canopy trees, but only one is provided on the site. Credit cannot be taken for a tree located on another property.

Clarify that the Side (West) buffer is adjacent to the vacant property PIN 179-40-5349 and add that pursuant to the landscape waiver letter, the existing tree line must be maintained and replanted, if necessary (see above).

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Clarify that the Front (West) Type II buffer is adjacent to Rt 15. Revise the tabulation to reflect that per the waiver letter, the buffer that exists is to remain and is subject to condition for replanting (see above). As stated above, the tabulation lists a number of trees that presumably exists upon the site, however, this does not correspond with what is shown on sheet 3. For example, 4 canopy, 3 understory, and 17 shrubs are listed in the tabulation, but sheet 3 only shows 3 canopy trees and no understory or shrubs within the buffer yard. Correct or remove the information with a note that landscaping will be provided at site plan pursuant to the Ordinance requirements and in compliance with the landscape waiver letter.

The Side (North) Type II buffer tabulation needs to be corrected to reflect that no buffer is required adjacent to the Fire/Rescue Station along the northern boundary. See page 2 of the waiver letter. The remainder of the northern boundary is a Type 2 side yard buffer and must have the required plantings or demonstrate that the existing vegetation meets the Ordinance requirements at the time of site plan.

The buffers shown on Sheet 2 do not agree with Sheet 4. Changes as requested were not incorporated. Any landscaping on the SPEX plat will be checked at site plan for full compliance with the approved landscape waiver and/or landscape buffer requirements found in the Ordinance.

Response: The buffer tabulation shown on Sheet 2 now agrees with what is shown on Sheet 4. Please note that the landscaping/buffering tabulation shown on the Special Exception submission dated December 4, 2009 has been removed and replaced with a more accurate account of existing vegetation as well as a proposed conceptual landscape tabulation. Please see Sheet 2 for revised tabulations and Sheet 4 for a conceptual landscape layout subject to STPR-2009-0069 and a more detailed description of waived buffer yards.

If you have any questions, please contact me at bjunda@whga.com or 703-889-2341.

Sincerely,

WILLIAM H. GORDON ASSOCIATES, INC.



William Junda, P.E., Senior Associate
Project Director

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March 23, 2010

Mr. Mike Elabarger
Project Manager
Loudoun County
Department of Planning
1 Harrison Street
Leesburg, VA

Re: SPEX-2009-0022 – Lucketts Community Center
SPEX-2009-0024 – Lucketts Community Center Child Care
Gordon Number: 2785-0101

Dear Mr. Elabarger:

The following is in response to comments received from you and various outside agencies:

Department of Building and Development – Environmental Review Team

Comment 1: On February 17, 2010, the Loudoun County Board of Supervisors adopted amendments to the Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO) and other County ordinances to create a Limestone Overlay District (LOD). Due to the limited size of the project and that the proposed improvements are not located within a Karst/Sensitive Environmental Feature Setback, as verified by a site visit with the County Soil Scientist on March 1, 2010, the project falls under the exemption in Section 4-1903(C)(4) (Existing Structures within LOD) of the Revised 1993 LCZO. With that said, staff encourages the applicant to consider conducting a geophysical study to insure soil stability in the area of the proposed improvements.

Response: Comment received and acknowledged.

Division of Environmental Health

Comment 1: This office will require an application for a geothermal well if one is proposed in the future. The proposed well site must meet all required setbacks to sewer lines, drainfield areas (existing or abandoned) and septic components.

Response: Comment acknowledged. A separate permit will be submitted in the future under a separate cover.

Comment 2: The well shown closest to the Community Center should be labeled as abandoned.

Response: The well is now labeled as abandoned with permit #T-502-6819001. Please see Sheet 3.

Office of Transportation Services

Comment 1: OTS has no objection to the approval of the applications.

Response: Comment received and acknowledged.

Building & Development – Zoning Administration

Comment 1: Original comment: *"Confirm that the facility will be served by well and septic. Sheet 3 indicates that there is a sewer line that leads to the school, located to the south of the subject. If public sewer is provided, the provisions of Sections 2-806 and 2-809 apply and sheet 2 of the Plat will need to be revised."* The well and sewage system does not meet the Ordinance definition of "water, public" or "sewer, public" in that it is not owned or operated by a municipality, Loudoun Water, or a public water utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. The response stated that the well and sewage treatment is privately maintained by the School Board and "classified" as public by Virginia Department of Health-Office of Drinking Water ("VDH"), which monitors the water, and the Virginia Department of Environmental Quality ("DEQ"), which monitors the water, and the Virginia Department of Environmental Quality ("DEQ"), which is responsible for sewer compliance. However, those entities do not meet the Ordinance definition of "water, public"/"sewer, public" or the State Code definition of "public water/sewer utility". Further, the SPEX plat sheets indicate that a well and septic tank/drainfield continue to be operational on the site. VDH stated that they believe after the well at the community center failed, the well was abandoned, however, the plat sheet does not reflect the well was abandoned. Without documentation that the current water and sewer system (termed "public, non-community well" by the County Health Department) meets either the Ordinance or State Code definition of public, the site must use the lot and building requirements for "Lots Served by On-Site Well and Wastewater Systems", Sections 2-805 and 2-808. If the applicant can provide documentation, staff will review it for compliance with the Ordinance. In reviewing the proposal and current conditions, there is little impact in using the increased yard and decreased lot coverage requirements due to the buffer yard width requirements and size of the lot. One side yard may remain 9', but the others will be 12' and the proposed lot coverage is well within the reduced maximum lot coverage. The Lot Requirement and Building Requirement tabulations must be revised in reflect Sections 2-805 and 2-808 unless the water/sewer system is determined to be public per the Ordinance or Code.

Response: The plat has been revised to reflect the lot and building requirements of Sections 2-806 and 2-809 of the Revised 1993 Zoning Ordinance, respectively. These sections have been selected because the sewage treatment facility serves more than two (2) lots (Lucketts Elementary School, Lucketts Community Center and Lucketts Volunteer Fire and Rescue) and is therefore considered public by the definition of "sewer, public" of the Zoning Ordinance. This response matches the response to the same comment and associated coordination related to the concurrently processing site plan revision for this project. Please see Sheet 2.

The plat has been revised to show that the existing well was abandoned with permit #T-502-6819001. Please see Sheet 3.

Comment 2: Original comment: *"Revise General Note 4 to state that the property is split zoned CR-4 and CR-1."* On sheet 2, in the Zoning Tabulation, add to the Zone and the Lot Requirements that the property is also subject to the provisions of the CR-1 (2-500) zoning district regulations.

Response: **The Zoning and Lot Requirement tabulations have been revised as requested. Please see Sheet 2.**

Comment 3: Revise General Note 13 on sheet 2 to reflect that a waiver to the landscaping was approved. Make ZCOR 2009-0269 a part of the plat because it provides the extent to which the waiver was granted and conditions associated with the waiver.

Response: **General Note 13 has been revised and ZCOR 2009-0269 has been added to the plat as requested. Please see Sheet 2.**

Comment 4: Original comment: *"...The front yard requirement for the VDOT is determined by the average front yard along James Monroe Highway will be the yard specified for the CR-4."* Change the Proposed Front Yard in the Zoning Tabulation to "Existing" front yard. Stating the existing front yard as the "proposed" on the SPEX plat could potentially limit any future expansion of the building.

Response: **"Proposed" front yard under the Zoning tabulation has been changed to "Existing" front yard as requested. Please see Sheet 2.**

Comment 5: Original comment: *"Street trees, in addition to the requirements of 5-1300, shall be provided along the frontage and regularly spaced. Provide 2 street trees along the Lucketts Road frontage"* The applicant stated in the response that there are 2 existing street trees along the Lucketts Road entrance of the proposal, but the revised plat indicates that one tree is not on the subject property, therefore, it may not be counted. Another canopy tree is required to fulfill the front buffer yard requirement which will satisfy the street tree requirement as well.

Response: **An additional canopy tree to count towards both the front buffer yard and street tree requirements is now shown on the plat. Please see Sheet 4.**

Comment 6: In the SOJ, the 2nd paragraph on page 3 states that there are 22 employees and over 100 children being served in the child care center, Paragraph 3 later says that the maximum number of employees for both users will be 15, and that a maximum of 60 students will be enrolled. Confirm that it is the intention of the applicant to reduce the number of employees and children enrolled.

Response: **The number of employees and children being served in the child care center has been confirmed with the applicant and the Statement of Justification has been**

adjusted accordingly. Please see page 3 of the attached revised Statement of Justification.

Comment 7: Original comment: *"A 3 ½-foot fence is required around the play area. Show the location of the fence and provide details to evidence compliance. (§-609(B)(1)(a))"* The response stated that "photographic evidence" was provided, however, none was included with the submission. State on the plat that a fence of at least 3 ½ feet will be provided. A typical section of the existing fence will be required to be provided at the time of site plan.

Response: **Comment acknowledged. The existing fence has been labeled as "Existing 4.1' board fence" on the plat. Please see Sheet 3.**

Comment 8: Original comment: *"A designated pickup and delivery zone that includes 1 parking space per 20 children required to be located in close proximity to the child care center so that safe and clear access is provided to enter and exit the building. Label the designated pickup and delivery zone and parking spaces. Please note that these pickup spaces are in addition to the parking spaces required for the child care center use pursuant to Section 5-1100. (§5-609(B)(2)(b))."* Three designated pickup/delivery parking spaces are required in addition to the required 18 spaces, so that a total of 21 spaces are required for the child care center. Revise the required/provided parking tabulation on sheet 2.

Response: **The Parking tabulation has been revised as requested. Please see Sheet 2.**

Comment 9: Original comment: *"The second General Note 13 on sheet 2 states that pursuant to Sec 5-1102(E) parking will continue to be provided consistent with previous conditions. This note should be removed...or a request for a parking reduction submitted in accordance with Section 5-1102(F). Also, the General Note numbers need to be revised."* A waiver request to reduce the required parking spaces by 13 was received and granted contingent upon receipt of a covenant (ZCOR 2009-0220). No covenant has been provided, and until such document is received, all 67 required parking spaces must be provided. If the covenant cannot be provided prior to SPEX approval, the note on sheet 2 of the plat should state that a parking reduction per 5-1102(F)(1) and (2) was granted however, a covenant is pending. Remove the number of parking spaces provided on sheet 2 (keep the number of spaces required). In order to use the reduced parking count, the covenant must be provided prior to site plan approval, otherwise, all spaces must be provided. Note that the parking reduction waiver request and approval was insufficient because it did not account for the 3 spaces required for designated child care pick up/delivery in addition to the child care center parking. See comment above. A letter of clarification from Zoning is being sent.

Response: **Comment acknowledged. The Parking tabulation has been revised and all associated county correspondence in regards to the parking modification has been attached to the plat. Please see Sheet 2.**

Comment 10: Original comment: *"Remove General Note 13 and the asterisk under the Landscaping/Buffering tabulation on sheet 2. A buffer waiver is a separate request that is made to the Zoning Administrator demonstrating how one or more circumstances in Section 5-1409 are met..."* A buffer waiver was granted for the south, west, and a portion of the northwestern boundary only, with conditions. Revise General Note 13 on sheet 2 to state that the waiver was granted in part and state the conditions attached to the waiver approval. Add ZCOR 2009-0269 as a part of the SPEX plat. One condition of waiver approval was that any existing vegetation shown on the SPEX plat along the south, west, and northwest boundary adjacent to PIN 179-40-5349, that dies or is damaged by construction, will be replaced with a similar species taken from the preferred plant type list provided in Section 5-1414(C). Add a note regarding same to the SPEX plat. A second condition of the waiver approval is that the existing southern tree line, in the vicinity of the CR-1 zoning district boundary, must be placed in a tree conservation easement so that it will remain undisturbed and the required buffer width must be maintained. Provide such an easement or provide a condition that such will be provided prior to site plan approval.

Response: General Note 13 has been revised and associated ZCOR-2009-0269 has been added to the plat as requested. General Note 15 has been added to address the condition that if any vegetation dies or is damaged by construction shall be replaced. Please see Sheet 2.

A tree conservation easement is now shown. Please see Sheet 4.

Comment 11: Original comment: *"Existing vegetation that meets the required screening may be used, or may be used to addition or supplemental planting, to fulfill the required screening. Revise the Landscaping/Buffering tabulation on sheet 2 to state what is required by the Ordinance and what is being "provided" or proposed" with this application...In addition, buffering and screening shall be provided on the lot of the proposed use per 5-1405(B); therefore, any existing landscaping on the school lot to the south may not be used to fulfill the applicant's requirements. (§5-1403(B))."* The tabulation on sheet 2 has two "Required" plantings column, when one should be what is proposed or provided. Revise the tabulation as requested if it can be determined at this point that what is shown in the 2nd Required column is what will be provided or exists. If it cannot be determined now what exists and what is proposed, remove the 2nd column and add a note that landscaping will be in conformance with the Ordinance requirements and in accordance with the landscape waiver approval letter. Note that, at the time of site plan, the applicant will need to distinguish between landscaping that exists and is being counted toward the requirement, and what is being planted. Further, the second Required columns do not correspond to what is shown on sheet 3, Existing conditions. Correct or remove with a note.

Other revisions to the landscape tabulation are necessary: Add a note that the Side (South) Type 1 buffer adjacent to the school does not require any additional plantings per the approved landscape waiver, but that existing vegetation will remain as shown on the plat and is subject to a condition (see above).

The Front (North) Type I buffer, adjacent to Lucketts Road requires 2 canopy trees, but only one is provided on the site. Credit cannot be taken for a tree located on another property.

Clarify that the Side (West) buffer is adjacent to the vacant property PIN 179-40-5349 and add that pursuant to the landscape waiver letter, the existing tree line must be maintained and replanted, if necessary see above).

Clarify that the Front (West) type II buffer is adjacent to Rt. 15. Revise the tabulation to reflect that per the waiver letter, the buffer that exists is to remain and is subject to condition for replanting (see above). As stated above, the tabulation lists a number of trees that presumably exists upon the site, however, this does not correspond with what is shown on sheet 3. For example, 4 canopy, 3 understory, and 17 shrubs are listed in the tabulation, but sheet 3 only shows 3 canopy trees and no understory or shrubs within the buffer yard. Correct or remove the information with a note that landscaping will be provided at site plan pursuant to the Ordinance requirements and in compliance with the landscape waiver letter.

The Site (North) Type II buffer tabulation needs to be corrected to reflect that no buffer is required adjacent to the Fire/Rescue Station along the northern boundary. See page 2 of the waiver letter. The remainder of the northern boundary is a Type 2 side yard buffer and must have the required plantings or demonstrate that the existing vegetation meets the Ordinance requirements at the time of site plan.

Response: Comments acknowledged. All landscaping tabulations have been revised as requested. Detailed landscape information is provided for informational purposes only and does not reflect final design. Final design shall be dictated per Site Plan approval. Please see Sheet 2 for tabulations and Sheet 4 for potential landscape plan.

If you have any questions, please feel free to call me at 703-263-1900, or you can e-mail me at bjunda@whga.com.

Sincerely,

WILLIAM H. GORDON ASSOCIATES, INC.

William Junda, P.E.
Senior Associate
Director of Engineering



William H. Gordon Associates, Inc.
4501 Daly Drive
Chantilly, VA 20151
703-263-1900 Phone
703-263-0766 Fax

October 23, 2009

Ms. Theresa M. Stein
Planner, Zoning Administration
County of Loudoun
Department of Building and Development
1 Harrison Street, SE
Leesburg, VA 20177-7000



Subject: Lucketts Community Center SPEX-2009-0022
Lucketts Community Center Child Care SPEX-2009-0024

Reference WHGA Project No. 2785-0101

Dear Ms. Stein:

The following is our response to your comment letter dated September 2, 2009:

Requirements:

- I. **CRITICAL ISSUES:** According to the Applicant, the child care and community center uses began operation is 1986. In 1986, the subject parcel was split zoned R-4 and R-1 and was governed under the 1972 Loudoun County Zoning Ordinance. The R-4 and R-1 zoning district regulations under the 1972 Zoning Ordinance allowed a community center only with special exception approval by the Board of Zoning Appeals with a recommendation from the Planning Commission. However, the County has no record of a special exception being approved for a community center use on the subject parcel. Also, the County has no record of any administrative site plan being approved, or permits being issued, for a community center on the subject parcel. Therefore, the application should be expanded to include the existing use, as well as the proposed expansion, in order to legally establish the use. If the Applicant has any documentation to show that the use was legally established, please provide such documentation for Staff's further consideration. The application will need to conform to all the current Ordinance requirements or obtain a modification through this application, where permitted.

Response: The Special Exception Application has been expanded to include the existing community center and child care facilities.

II. CONFORMANCE WITH COUNTRYSIDE RESIDENTIAL-4 DISTRICT REGULATIONS (\$2-800)

Comment 1: Revise General Notes 1 and 2 to reflect that the totality of all uses is subject to the special exception application.

Response: General Notes 1 and 2 have been revised as requested. Please see Sheet 2.

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Comment 2: Confirm that the facility will be served by well and septic. Sheet 3 indicates that there is a sewer line that leads to the school, located to the south of the subject. If public sewer is provided, the provisions of Sections 2-806 and 2-809 apply and Sheet 2 of the Plat will need to be revised.

Response: The facility is served by a well and sewage treatment facility privately maintained by the Loudoun County School Board and classified as public by the Virginia Department of Health – Office of Drinking Water and Virginia Department of Environmental Quality, respectively. Sheet 2 has been revised to reflect the provisions of Sections 2-807 and 2-810.

Comment 3: Lot coverage is limited to 15% of the total lot size. The applicant has based its required and provided lot coverage, shown on Sheet 2, on the total 4.78 acres. Revise the application to make the entire parcel subject to the Special Exception application, otherwise, identify the amount of acreage/square feet that is subject to the special exception, and revise all of the tabulations to reflect the limited acreage.

Response: The Special Exception Application has been revised to include the entire parcel.

Comment 4: Revise General Note 4 to state that the property is split zoned CR-4 and CR-1.

Response: General Note 4 has been revised as requested. Please see Sheet 2.

III. CONFORMANCE WITH VILLAGE CONSERVATION OVERLAY DISTRICT (VCOD) REGULATIONS (§4-2100):

Comment 5: The front yard requirement for the VCOD is determined by the average front yard for existing principal buildings located within 150' of both sides of the parcel and on the same side of the street as the subject building. The subject property has two front yards: one along James Monroe Highway and one along Lucketts Road. It is noted that there is only one structure within 150' of the subject parcel and on the same side of James Monroe Highway. Therefore, since an average front yard cannot be used, the required minimum front yard along James Monroe Highway will be the yard specified for the CR-4 and CR-1 Zoning Districts. The existing buildings within 150' of the subject parcel along Lucketts Road are the fire department to the east and the 14465 James Monroe Highway to the west.

Sheet 2 indicates that the required front yard along James Monroe Highway is 83.7 and the required front yard along Lucketts Road is 96.4-feet. However, this is not consistent with County information. Provide the address of the properties being averaged in the Yard tabulation on Sheet 2 for Lucketts Road and provide

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the calculation. Nonetheless, as the subject building has been in existence since 1913, before any County Zoning Ordinance, the structure will be considered a legal structure and subject to the regulations in Section 1-403 for any non-conformity with current yard requirements.

Response: The yard tabulation has been revised as requested. Please see Sheet 2.

Comment 6: Building height is limited to no greater than 50% higher than the highest building on the same side of the street within 150' of either side of the parcel, not to exceed the maximum building height permitted in the CR-4 and CR-1 Zoning Districts. Provide the structures being used toward the building height calculation and provide the average in the Building Requirement tabulation.

Response: The height of the community center is below the maximum allowable height. Please see Sheet 2 for further detail.

Comment 7: Street trees, in addition to the requirements of 5-1300, shall be provided along the frontage and regularly spaced. Provide 2 street trees along the Lucketts Road frontage.

Response: The two existing trees along Lucketts Road at the entrance to the community center will be used to fulfill the street tree requirement. The plat has been updated to show the tree locations. Please see Sheet 3.

IV. CONFORMANCE WITH ADDITIONAL REGULATIONS FOR SPECIFIC USES (§5-600):

Comment 8: A minimum of 75 square feet per child of outdoor play area shall be provided on the lot. Provide the total number of children at the facility and state the square footage of the play area provided. Provided the limits of the play area on Sheet 3. If insufficient play area exists, the applicant shall provide additional space to fulfill the requirement, unless a modification is sought and granted.

Response: Sufficient play area exists. Please see the child care center requirements tabulation on Sheet 2. The limits of play area are now shown. Please see Sheet 3.

Comment 9: A 3 ½ -foot fence is required around the play area. Show the location of the fence and provide details to evidence compliance.

Response: The existing fence is 4.1' in height as measured in the field. Please see attached photographic evidence. The fence has been more clearly labeled. Please see Sheets 3 and 4.

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Comment 10: Demonstrate that no play equipment is located within the required front yard (James Monroe Highway or Lucketts Road) per 5-609(B)(1)(b).

Response: No play equipment lies within the required yard line. Please see Sheet 4.

Comment 11: A designated pickup and delivery zone that includes 1 parking space per 20 children is required to be located in close proximity to the child care center so that safe and clear access is provided to enter and exit the building. Label the designated pickup and delivery zone and parking spaces. Please note that these pickup spaces are in addition to the parking spaces required for the child care center pursuant to Section 5-1110.

Response: The designated pickup and delivery zone and parking spaces have been added and labeled. Please see Sheet 2 for the computation and 4 for the location.

V. CONFORMANCE WITH OFF-STREET PARKING AND LOADING (§5-1100):

Comment 12: The second General Note 13 on Sheet 2 states that pursuant to Sec 5-1102(E) parking will continue to be provided consistent with previous conditions. This note should be removed. Section 5-1102(E) pertains to legally established uses that are expanding. As there is no prior approved SPEX for child care of community center uses, all parking must be provided in accordance with the Ordinance, or a request for a parking reduction submitted in accordance with Section 5-1102(F). Also, the General Note numbers need to be revised.

Response: The second General Note 13 has been removed and the General Note numbers have been revised. Please see Sheet 2. A request for a parking reduction has been submitted under separate cover.

VI. CONFORMANCE WITH BUFFERING AND SCREENING REGULATIONS (§5-1400):

Comment 13: Remove General Note 13 and the asterisk under the Landscaping/Buffering tabulation on Sheet 2. A buffer waiver is a separate request that is made to the Zoning Administrator demonstrating how one or more circumstances in Section 5-1409 are met. The applicant indicated that they will seek a landscaping waiver/reduction pursuant to 5-1409(H). Be advised that the request to the Zoning Administrator must include a recommendation by the Loudoun County Sheriff's Office that all the buffers create security issues, then the required buffer yard width and plantings must be provided. Otherwise, the applicant may seek to modify the required landscaping per Section 5-1403(B).

Response: Comment acknowledged; a buffer waiver request is being prepared and shall be submitted under separate cover. General Note 13 has been revised

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and the asterisk under the Landscaping/Buffering tabulation has been removed. Please see Sheet 2.

Comment 14: Existing vegetation that meets the required screening may be used, or may be used in addition to supplemental planting, to fulfill the required screening. Revise the Landscaping/Buffering tabulation on Sheet 2 to state what is required by the Ordinance and what is being "provided" or "proposed" with this application. Unless a modification or waiver is granted, all of the required landscaping must be provided for the use. As it appears now, the applicant is not proposing any new vegetation and is not proposing the use of any existing vegetation towards meeting the requirement. If any existing trees are to be used to fulfill the required buffer yard plantings, a plan providing the location of the existing vegetation to be used, along with a description and photographs of the vegetation, should be submitted. In addition, buffering and screening shall be provided on the lot of the proposed use per 5-1405(B); therefore, any existing landscaping on the school lot to the south may not be used to fulfill the applicant's requirements.

Response: **Comment acknowledged; a buffer waiver request is being prepared and shall be submitted under a separate cover. Please see General Note 13 on Sheet 2.**

Comment 15: Revise the required buffer for the northern front buffer adjacent to the antique store and the buffer adjacent to the Fire/Rescue station as a Type I front buffer is required instead of a Type II.

Response: **The above-mentioned required buffers have been revised as requested. Please see Sheet 4.**

Comment 16: Revise the Landscaping/Buffering tabulation to provide the minimum buffer width, in addition to the maximum width that is currently shown. Also, add a column in the tabulation for the width proposed. For example, a Type 2 front buffer has a minimum 15' and a maximum of 25'.

Response: **The Landscaping/Buffering tabulation has been revised as requested. Please see Sheet 2.**

VII. CONFORMANCE WITH SPECIAL EXCEPTION REGULATIONS (§6-1300):

Comment 17: An issue for consideration is whether existing or proposed landscaping and screening is sufficient for adequately screening the uses. As the applicant did not receive special exception approval when the uses began in 1986, the existing landscaping does not meet current landscaping requirements, nor does it appear that it would have met the requirements of the 1972 Zoning Ordinance. If the applicant wishes to seek an administrative waiver/modification from the Zoning

Ms. Theresa M. Stein, Planner
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Administrator, it may request so in writing. Staff does not believe that sufficient landscaping currently exists and none has been proposed to mitigate impacts.

Response: Comment acknowledged; a buffer waiver request is being prepared and shall be submitted under a separate cover.

WITH REGARD TO THE COUNTY OF LOUDOUN DEPARTMENT OF BUILDING AND DEVELOPMENT ENVIRONMENTAL REVIEW TEAM MEMORANDUM FROM TODD TAYLOR DATED SEPTEMBER 1, 2009, MY RESPONSE IS AS FOLLOWS:

Recommendation 1: The property is underlain by limestone, which is prone to rock outcrops, sink holes, and solution channels. Areas underlain by limestone have the potential for subsidence, resulting in damage to personal health and property. Staff recommends investigating soil stability by conducting a geophysical study for portions of the property subject to the proposed improvements, including the geothermal loop piping. [Revised General Plan (RGP) Limestone Conglomerate Policy 2]

Response: The recommendation is being taken under advisement.

Recommendation 2: The proposed geothermal loop piping depicted on the special exception plat is in close proximity to drainfield site PSSD-1966-0138, as identified by Loudoun County Geographic Information System (LOGIS) data. Since the existing conditions plan identifies a septic tank and pump chamber that connects to a pressure line that continues south to an off-site sewer line, the drainfield may no longer be in use. Staff recommends coordinating with the Health Department to verify that the proposed geothermal loop piping does not create a conflict with the drainfield site.

Response: The applicant will coordinate with the Loudoun County Health Department as requested.

Recommendation 3: Given the building roof's southern exposure, staff recommends that the applicant consider solar energy or a solar hot water system as part of the building upgrades. Providing an on-site renewable energy system is consistent with the Public Facilities text and General Public Facilities Policy 3 on pages 3-6 of the RGP, which state that it is important that the location and design of public facilities set the highest possible standards and a positive example. The County is currently perusing solar hot water technology as part of the design for Middle School #5.

Response: The recommendation is being taken under advisement.

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**WITH REGARD TO THE LOUDOUN COUNTY DEPARTMENT OF HEALTH MEMORANDUM
FROM JOSEPH E. LOCK DATED AUGUST 7, 2009, MY RESPONSE IS AS FOLLOWS:**

Recommendation 1: This office would recommend that the plat show the existing water line leading to the Loudoun County School Board property. This could be shown on the existing conditions page of the plat (page 3 of 5).

Response: **The approximate location of the existing water line leading to Lucketts Elementary is now shown per Virginia Department of Health – Office of Drinking Water's records.**

Recommendation 2: This office would recommend that the existing well be abandoned if it is not being used. This would require the submission of an application for the abandonment. A permit would be issued and the well abandonment must be witnessed by this office. (Office Policy)

If the existing well is not abandoned, the addition must meet all current setbacks to the well. The addition could be approved if it is to be no closer than the existing structure is to the well. A waiver request is required if the addition is proposed to be 15' or less to the existing well. In all cases a deed recordation will be required that no termite treatment is to occur for the addition and within 100' of the well. An addition check application and site visit will be required for clearance of the proposed building addition. (Well waiver, Office Policy)

Response: **The well was abandoned with permit T-502-6819001 per phone conversation with Joseph Lock on September 15, 2009.**

**WITH REGARD TO THE LOUDOUN COUNTY OFFICE OF TRANSPORTATION SERVICES
MEMORANDUM FROM MARC LEWIS-DEGRACE DATED OCTOBER 20, 2009, MY
RESPONSE IS AS FOLLOWS:**

Comment 1: The applicant should confirm that the existing site entrance meets all applicable VDOT standards.

Response: **The existing entrance will be updated to conform to VDOT standards with the site plan and with the required VDOT land use permit.**

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If you have any questions, please contact me at bjunda@whga.com or 703-889-2341.

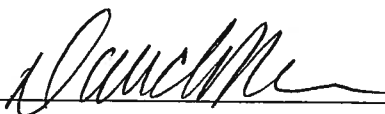
Sincerely,

WILLIAM H. GORDON ASSOCIATES, INC.



William Junda, P.E., Senior Associate
Project Director

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I, David Rice , do hereby state that I am an
____ Applicant

X Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): SPEX 2009-0022 & SPEX 2009-0024

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (Listed in bold above)
	Loudoun County Office of Capital Construction	211 Gibson Street, N.W., Suite 123 MS #49, Leesburg, VA 20176	Applicant/Title Owner
	William H. Gordon Associates, Inc.	4501 Daly Drive, Suite 200 Chantilly, VA 20151	Civil Engineer
	Bargmann Hendrie + Archetype, Inc.	300 A Street Boston, MA 02210	Architect
	Faithful + Gould, Inc.	1725 Duke Street, Suite 200 Alexandria, VA 22314	Cost Estimator
	Landmark Facilities Group, Inc.	252 East Avenue Norwalk, CT 06855	MEP/FP Engineer
	Linton Engineering, LLC	46090 Lake Center Plaza, Suite 309 Potomac Falls, VA 20165	Structural Engineer

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

____ There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

William H. Gordon Associates, Inc. 4501 Daly Drive, Suite 200 Chantilly, VA 20151

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Robert W. Woodruff	Stanley D. Heiser
Joseph W. McClellan	Brian P. Fletcher
Eugene C. Dorn	J. Scott Peterson
R. Steven Hulsey	Louise Zwicker
Paula M. Fleckenstein	William E. Junda
Robert W. Walker	William H. Gordon
Mark A. Dyck	Linda R. Erbs
Kevin D. Nelson	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Robert W. Woodruff	Vice President / Chief Operating Officer
Joseph W. McClellan	Vice President
Eugene C. Dorn	Vice President
R. Steven Hulsey	Chief Executive Officer
Paula M. Fleckenstein	Vice President / Chief Financial Officer
Robert W. Walker	Vice President / Chief Marketing Officer
Mark A. Dyck	Vice President

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

Attachment to Paragraph C-2

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Bargmann Hendrie + Archetype, Inc. 300 A Street Boston, MA 02210-1710

Description of Corporation:

 x *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

<i>SHAREHOLDER NAME (First, M.I., Last)</i>	<i>SHAREHOLDER NAME (First, M.I., Last)</i>
Carolyn Hendrie	
Joel Bargmann	

Names of Officers and Directors:

<i>NAME (First, M.I., Last)</i>	<i>Title (e.g. President, Treasurer)</i>
Carolyn Hendrie	Principal
Joel Bargmann	Principal

Attachment to Paragraph C-2

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land,** all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Faithful + Gould, Inc. 1725 Duke Street, Suite 200 Alexandria, VA 22314

Description of Corporation:

 There are 100 or fewer shareholders and all shareholders are listed below.

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 x *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
No shareholders own 10% or more	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>
Richard Hall	Worldwide Chief Executive Officer
Paul Wood	Chief Executive Officer - USA
Reza Amirkhalili	Chief Operating Officer
James Nevada	Chief Financial Officer
Edwin J. Brundage	Vice President - Government

Attachment to Paragraph C-2

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land,** all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Landmark Facilities Group, Inc. 252 East Avenue Norwalk, CT 06855

Description of Corporation:

 x *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
Thomas E Newbold	
Gerard J Rauth	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>
Thomas E Newbold	President & Secretary/ Board of Directors
Gerard J Rauth	Vice President & Treasurer/Board of Directors
Ernest A Conrad	Board of Directors

Attachment to Paragraph C-2

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Linton Engineering, LLC, 46090 Lake Center Plaza, Suite 309, Potomac Falls, VA 20165

Description of Corporation:

 x *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
David E. Linton	
Stephanie T. Linton	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
David E. Linton	Member
Stephanie T. Linton	Member

3. PARTNERSHIP INFORMATION

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

_____ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

<i>NAME</i> <i>(First, M.I., Last)</i>	<i>Title</i> <i>(e.g. General Partner, Limited Partner, etc)</i>

Check if applicable:

_____ Additional Partnership information attached. See Attachment to Paragraph C-3.

4. ADDITIONAL INFORMATION

- a. One of the following options **must** be checked:

 In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

 x Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

 Additional information attached. *See Attachment to Paragraph C-4(a).*

- b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

Check if applicable:

 Additional information attached. *See Attachment to Paragraph C-4(b).*

- c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state).

Check if applicable:

 Additional information attached. *See Attachment to Paragraph C-4(c).*

D. COMPLETENESS

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

Steven C. Pandish

check one: [] Applicant or [X] Applicant's Authorized Agent

Steven C. Pandish

Project Manager

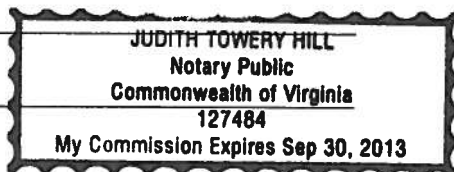
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 29th day of April 2010, in the State/Commonwealth of Virginia, in the County/City of Fairfax.

Judith Towery Hill
Notary Public

My Commission Expires: _____

Notary Registration Number: _____



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Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated July 21, 2009
(enter date of affidavit)

For the Application Lucketts Community Center, with Number(s) SPEX 2009-0022 & SPEX 2009-0024
[enter Application name(s)] [enter Application number(s)]

I, David Rice , do hereby state that I am an

(check one) Applicant (must be listed in Paragraph C of the above-described affidavit)
 X Applicant's Authorized Agent (must be listed in Paragraph C of the above-described affidavit)

And that to the best of my knowledge and belief, the following information is true:

(check one) I have reviewed the above-described affidavit, and the information contained therein is true and complete as of _____, or;
(today's date)

 X I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

- X Paragraph C-1
- X Paragraph C-2
- Paragraph C-3
- Paragraph C-4(a)
- Paragraph C-4(b)
- Paragraph C-4(c)



WITNESS the following signature:

Steven C. Pandish

check one: [] Applicant or [X] Applicant's Authorized Agent

Steven C. Pandish Project Manager

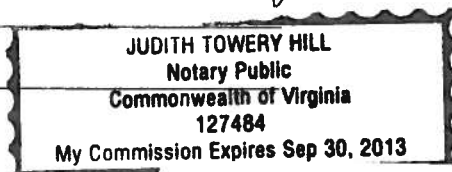
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 29th day of April, 20 10, in the State/Commonwealth of Virginia, in the County/City of Fairfax.

Judith Towery Hill
Notary Public

My Commission Expires: _____

Notary Registration Number: _____



Revised October 2008